FEDERAL REGISTER

VOLUME 20 NUMBER 253

Washington, Friday, December 30, 1955

TITLE 3—THE PRESIDENT

EXECUTIVE ORDER 10649

AMENDMENT OF EXECUTIVE ORDER NO. 10153[1] PRESCRIBING REGULATIONS RELATING TO CERTAIN TRAVEL TIME OF MEMBERS OF THE UNIFORMED SERVICES CALLED TO ACTIVE DUTY IN EXCESS OF THIRTY DAYS

By virtue of and pursuant to the authority vested in me by the first proviso of subsection 201 (e), Career Compensation Act of 1949 (63 Stat. 807; 37 U. S. C. 232 (e)) as amended (subsection 2 (2) Career Incentive Act of 1955 (Public Law 20, 84th Cong., 69 Stat. 19), Act of July 12, 1955 (Public Law 144, 84th Cong., 69 Stat. 294)), and as President of the United States and Commander in Chief of the Armed Forces of the United States, it is ordered that Executive Order No. 10153 of August 17, 1950, 15 Federal Register 5492, be, and it is hereby, amended as follows:

1. Sections 1 and 2 are amended to read:

SECTION 1. For travel from home to first duty station, in case travel by public transportation is authorized, the travel time included as active duty shall be based upon actual and necessary schedules which most nearly coincide with the possible time of departure and arrival by the mode of transportation actually used, or by public surface transportation if the travel is actually performed by private conveyance without having been specifically authorized. In case travel by private conveyance is specifically authorized and the travel is so performed, the travel time included as active duty shall be computed on the basis of one day for each three hundred miles traveled, and one day of travel time shall also be allowed for each fraction of three hundred miles in excess of one hundred and fifty miles. The distance traveled shall be computed on the basis of distances established by the official mileage tables in use by the uniformed services. Travel by private conveyance shall not be specifically authorized in any case in which the call to active duty is for a period of less than ninety consecutive days.

SEC. 2. For travel from last duty station to home, in case travel by public transportation is authorized, the travel time included as active duty shall be based upon actual and necessary schedules which most nearly coincide with the possible time of departure and arrival by public surface transportation, without regard to the actual performance of such travel. In case travel by private conveyance is specifically authorized, the travel time included as active duty shall be computed on the basis of one day for each three hundred miles traveled, and one day of travel time shall also be allowed for each fraction of three hundred miles in excess of one hundred and fifty miles, without regard to the actual performance of such travel. The distance from last duty station to home shall be computed on the basis of distances established by the official mileage tables in use by the uniformed services. Travel by private conveyance shall not be specifically authorized in any case in which the call to active duty is for a period of less than ninety consecutive days.

2. This order shall become effective on January 1, 1956.

DWIGHT D. EISENHOWER

THE WHITE HOUSE,
December 28, 1955.

[F. R. Doc. 55-10555; Filed, Dec. 28, 1955; 4:26 p. m.]

[1] 3 CFR, 1950 Supp., p. 114; 15 F. R. 5492.

TITLE 7—AGRICULTURE

Chapter IX—Agricultural Marketing Service (Marketing Agreements and Orders), Department of Agriculture

PART 964—DRIED FIGS PRODUCED IN CALIFORNIA

ADMINISTRATIVE RULES AND PROCEDURES

Pursuant to Marketing Agreement No. 123 and Order No. 64 (20 F. R. 1085) regulating the handling of dried figs produced in California, effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.) the Dried Fig Administrative Committee, the administrative agency for program operations, has submitted, for the approval of the Secretary of Agriculture, an amendment of § 964.151 (c) (3) of the administrative rules and pro-

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FEDERAL REGISTER

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CODIFICATION GUIDE

A numerical list of the parts of the Code of Federal Regulations affected by documents published in this issue. Proposed rules, as opposed to final actions, are identified as such.

cedures governing its operations, as set forth hereinafter. After consideration of all pertinent available information, it is concluded that the aforesaid amendment should be approved.

Therefore, it is hereby ordered, That, effective as of the date of the publication of this document in the FEDERAL REGISTER, the provisions of § 964.151 (c) (3) of the administrative rules and procedures (20 F R. 7186) be amended to read as follows:

§ 964.151 *Disposition of dried figs by handlers.* * * *

(c) *Inspection.* * * *

(3) The inspection of any dried figs of the Adriatic or the Calimyrna variety or any blend containing the Adriatic or the Calimyrna variety, being prepared as fig paste or sliced dried figs, shall include head count tests for insects.

* * * * *

It is hereby found that it is impracticable, unnecessary, and contrary to the public interest to give preliminary notice, engage in public rule making procedure, and postpone the effective date of this

amendment for thirty days, or any lesser period, after publication in the FEDERAL REGISTER (see section 4 of the Administrative Procedure Act; 5 U. S. C. 1001 et seq.) in that: (1) Shipments into trade channels of sliced dried figs and fig paste currently are being made, to which the provisions of the amendment should apply; (2) until the amendment becomes effective, reliance must be placed on voluntary use of head count tests for insects in the case of dried figs of the Calimyrna variety being prepared as sliced dried figs or fig paste; (3) dried fig handlers, who are represented on the committee, and the Dried Fruit Association of California, the inspection agency for the program, know that the amendment has been unanimously approved by the committee and may be issued; and (4) the circumstances are such that handlers do not need any further advance notice to prepare for compliance with the provisions of the amendment. It is imperative that this action be made effective on the date on which this order is published in the FEDERAL REGISTER.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. 608c)

Dated: December 27, 1955.

[SEAL] ROY W LENNARTSON,
Deputy Administrator
Marketing Services.

[F. R. Doc. 55-10466; Filed, Dec. 29, 1955; 8:51 a. m.]

TITLE 25—INDIANS

Chapter I—Bureau of Indian Affairs, Department of the Interior

Subchapter R—Leases and Sale of Minerals, Restricted Indian Lands

PART 180—LEASING OF OSAGE RESERVATION LANDS FOR OIL AND GAS MINING

MISCELLANEOUS AMENDMENTS

The regulations in this part are amended as follows:

§ 180.5 *Use of surface lands; settlement of damages to lands and crops.* (a) Lessee shall have the right to use so much of the surface of the land as may be necessary for operations, including the right to lay and maintain pipe lines, telephone and telegraph lines, pull rods and other appliances necessary for the operation of the wells; also the right of ingress and egress and the right of way to any point of operations under condition of least injury and inconvenience to the owner and occupant of the surface. Lessee may use water from streams and natural water courses for lease operations as set out in § 180.57. Before commencing operations for the drilling of any well the lessee shall pay to the surface owner the sum of $200 for each well located on cultivated land (tilled or cultivated within the immediately preceding three years, and including hay-meadow land) $150 for open pasture land, and $100 for such location on brush or wooded lands, and other lands not suitable for cultivation. Upon payment of such location site money, lessee shall be entitled to possession. Location sites shall be held to the minimum area essential for operations, and in no event shall exceed one and one-half acres in area. Lessee shall also pay tank site fees at the rate of $20 per tank of not exceeding 1,000 barrels capacity: *Provided, however,* That no tank site fee shall be paid for a tank temporarily set on a well location site for testing purposes during the completion of the well. Tank sites shall be held to the minimum area essential to efficient operations, and in no event shall exceed an area of 50 feet square per tank. The sum to be paid for an oil tank site of larger capacity and occupying a greater area shall be as agreed upon between the surface owner and the lessee, and on failure to agree, the same shall be fixed by arbitration.

* * * * *

§ 180.30 *Measurement of gas.* Gas of all kinds (except gas used for purposes of production on the leasehold or unavoidably lost) is subject to royalty, and all gas shall be measured by meter (preferably of the orifice-meter type) unless otherwise agreed to by the Superintendent. All gas meters must be approved by the Superintendent and installed at the expense of the lessee at such places as may be agreed to by the Superintendent. For computing the volume of all gas produced, sold, or subject to royalty, the standard of pressure shall be 10 ounces above an atmospheric pressure of 14.4 pounds to the square inch, regardless of the atmospheric pressure at the point of measurement, and the standard of temperature shall be 60° F. All measurements of gas shall be adjusted by computation to these standards, regardless of the pressure and temperature at which the gas was actually measured, unless otherwise authorized in writing by the Superintendent.

§ 180.46 *Approval of lease instruments.* * * *

(b) *Unitization of oil leases.* As a consideration for their further development by the water flood process, two or more oil leases may be unitized and merged in a single blanket lease with the approval of the Superintendent. The instrument of unitization (blanket lease) shall include all the requirements and provisions of sections numbered 1, 5, 6, 7, 8, 9, 10, 11, 12, 13, 15, 16, 17, 18, 19 and 20 of Osage oil lease Form B: *Provided,* That the preamble of Form B and the provisions of section numbered 2 in respect to royalty rates; section numbered 3 in respect to payment of rental; section numbered 4 in respect to payment of well site and tank location fees; and section numbered 14 in respect to the surrender of the lease, may be modified and/or supplemented by the parties, with the approval of the Superintendent, to the extent deemed appropriate for the equitable and efficient conduct of unitized operations, and not otherwise in conflict with the regulations in this part. Lessee(s) shall, before commencing water flood operations, and on or before December 31st of each year thereafter, submit to the Superintendent an acceptable plan of development and operation for the unit area for the ensuing year. Upon a finding by him that such action would be in the best interest of the Osage Tribe, the Superintendent may also approve an agreement between the lessor and the lessee(s) rescinding a unit (blanket lease) and restoring to their original status the Form B leases theretofore merged in the unit lease: *Provided,* That if oil is being produced in paying quantities on a particular quarter section tract on the date of approval of such agreement, the lessee shall be entitled to hold such tract under the terms of the original Form B lease so long as oil is produced on said tract in paying quantities.

§ 180.51 *Well location fees.* * * *

(b) Where the surface owner is a restricted Indian, adult or minor, well location fee shall be paid to the Superintendent of the Osage Agency for such Indian. All other surface owners, whether Indians or whites, shall be paid or tendered such fees direct, and where such surface owners are not residents of Osage County nor have a representative located therein, such payments shall be made or tendered by check, postage prepaid, to last known address of said surface owner at least 5 days before commencing drilling operations on any well: *Provided,* That should the lessee be unable to reach the owner of the surface of the land for the purpose of tendering the location fee, or if owner of the surface of the land upon being tendered the location fee by the lessee, shall refuse to accept the same, the lessee may tender the location fee to the Superintendent of the Osage Agency, and if the lessee and the Superintendent shall agree upon the amount of the location fee, the lessee shall deposit such amount with the Superintendent for payment to the owner of the surface of the land upon demand, and the Superintendent shall thereupon advise the owner of the surface of the land by mail at his last known address, that the location fee is being held for payment to him upon his request.

(Sec. 3, 34 Stat. 543)

CLARENCE A. DAVIS,
Acting Secretary of the Interior.

DECEMBER 22, 1955.

[F. R. Doc. 55-10434; Filed, Dec. 29, 1955; 8:45 a. m.]

TITLE 26—INTERNAL REVENUE, 1954

Chapter I—Internal Revenue Service, Department of the Treasury

Subchapter C—Employment Taxes

[T. D. 6155]

PART 31—EMPLOYMENT TAXES; APPLICABLE ON AND AFTER JANUARY 1, 1955

On October 12, 1955, a notice of proposed rule making regarding the regulations under sections 3401 (a), 6001, and 6051 of the Internal Revenue Code of 1954 was published in the FEDERAL REGISTER (20 F. R. 7610) in order to provide rules with respect to payments made after December 31, 1955, of amounts subject to section 105 (d) of the 1954 Code. After consideration of the relevant suggestions presented by interested parties

regarding the proposed rules, the following regulations are hereby adopted:

§ 31.3401 (a) *Statutory provisions; definitions; wages.*

SEC. 3401. *Definitions*—(a) *Wages.* For purposes of this chapter, the term "wages" means all remuneration (other than fees paid to a public official) for services performed by an employee for his employer, including the cash value of all remuneration paid in any medium other than cash; except that such term shall not include remuneration paid—* * *

§ 31.3401 (a)–1 *Wages.* * * *

(b) *Certain specific items.* * * *

(8) *Amounts paid under wage continuation plans.* * * *

(ii) *Amounts paid after December 31, 1955—(a) In general.* The term "wage continuation payment" as used in this subdivision, means any payment to an employee which is made after December 31, 1955, under a wage continuation plan (as defined in § 1.105–4 (a) of the Income Tax Regulations (26 CFR Part 1)) for a period of absence from work on account of personal injuries or sickness, to the extent such payment is attributable to contributions made by the employer which were not includible in the employee's gross income or is paid by the employer. Any such payment, whether or not excluded from the gross income of the employee under section 105 (d) constitutes "wages" (unless specifically excepted under any of the numbered paragraphs of section 3401 (a) or under section 3402 (e)) and withholding thereon is required except as provided in (*b*) and (*c*) of this subdivision.

(*b*) *Amounts paid by employer for whom services are performed.* Withholding is not required with respect to any or all employees upon the amount of any wage continuation payment made to an employee directly by the employer for whom he performs services to the extent that such payment is excludable from the gross income of the employee under section 105 (d) provided the records maintained by the employer—

(*1*) Separately show the amount of each such payment and the excludable portion thereof, and

(*2*) Contain data substantiating the employee's entitlement to the exclusion provided in section 105 (d) with respect to such amount, either by a written statement from the employee specifying whether his absence from work during the period for which the payment was made was due to a personal injury or whether such absence was due to sickness, and, if the latter, whether he was hospitalized for at least one day during this period; or by any other information which the employer reasonably believes establishes the employee's entitlement to the exclusion under section 105 (d)

Employers shall not be required to ascertain the accuracy of the information contained in any written statement submitted by an employee in accordance with (2) above. For purposes of this subdivision, computation of the amount excludable from the gross income of the employee under section 105 (d) may be made either on the basis of the wage continuation payments which are made directly by the employer for whom the employee performs services, or on the basis of such payments in conjunction with any wage continuation payments made on behalf of the employer by a person who is regarded as an employer under section 3401 (d) (1)

(*c*) *Amounts paid by person other than the employer for whom services are performed.* No tax shall be withheld upon any wage continuation payment made to an employee by or on behalf of a person who is not the employer for whom the employee performs services but who is regarded as an employer under section 3401 (d) (1) For example, no tax shall be withheld with respect to wage continuation payments made on behalf of an employer by an insurance company under an accident or health policy, by a separate trust under an accident or health plan, or by a State agency from a sickness and disability fund maintained under State law.

(*d*) *Cross references.* See sections 6001 and 6051 and the provisions thereunder in Subpart G of the regulations in this part for rules with respect to the records which must be maintained in connection with wage continuation payments and for rules with respect to the statements which must be furnished an employee in connection with wage continuation payments, respectively. See also section 105 and the provisions thereunder in the Income Tax Regulations (26 CFR Part 1)

§ 31.6001 *Statutory provisions; notice or regulations requiring records, statements, and special returns.*

SEC. 6001. *Notice or regulations requiring records, statements, and special returns.* Every person liable for any tax imposed by this title, or for the collection thereof, shall keep such records, render such statements, make such returns, and comply with such rules and regulations as the Secretary or his delegate may from time to time prescribe. Whenever in the judgment of the Secretary or his delegate it is necessary, he may require any person, by notice served upon such person or by regulations, to make such returns, render such statements, or keep such records, as the Secretary or his delegate deems sufficient to show whether or not such person is liable for tax under this title.

§ 31.6001–5 *Additional records in connection with collection of income tax at source on wages.* (a) Every employer required under section 3402 to deduct and withhold income tax upon the wages of employees shall keep records of all remuneration paid to such employees. Such records shall show with respect to each employee—

* * * * *

(12) In the case of the employer for whom services are performed, with respect to payments made directly by him after December 31, 1955, under a wage continuation plan (as defined in § 1.105–4 (a) of the Income Tax Regulations (26 CFR Part 1))—

(i) The beginning and ending dates of each period of absence from work for which any such payment was made; and

(ii) Sufficient information to establish the amount and weekly rate of each such payment.

§ 31.6051 *Statutory provisions; receipts for employees.*

SEC. 6051. *Receipts for employees*—(a) *Requirement.* Every person required to deduct and withhold from an employee a tax under section 3101 or 3402, or who would have been required to deduct and withhold a tax under section 3402 if the employee had claimed no more than one withholding exemption, shall furnish to each such employee in respect of the remuneration paid by such person to such employee during the calendar year, on or before January 31 of the succeeding year, or, if his employment is terminated before the close of such calendar year, on the day on which the last payment of remuneration is made, a written statement showing the following:

(1) The name of such person,

(2) The name of the employee (and his social security account number if wages as defined in section 3121 (a) have been paid),

(3) The total amount of wages as defined in section 3401 (a),

(4) The total amount deducted and withheld as tax under section 3402,

(5) The total amount of wages as defined in section 3121 (a), and

(6) The total amount deducted and withheld as tax under section 3101.

(b) *Special rule as to compensation of members of Armed Forces.* In the case of compensation paid for service as a member of the Armed Forces, the statement shall show, as wages paid during the calendar year, the amount of such compensation paid during the calendar year which is not excluded from gross income under chapter 1 (whether or not such compensation constituted wages as defined in section 3401 (a)); such statement to be furnished if any tax was withheld during the calendar year or if any of the compensation paid is includible under chapter 1 in gross income.

(c) *Additional requirements.* The statements required to be furnished pursuant to this section in respect of any remuneration shall be furnished at such other times, shall contain such other information, and shall be in such form as the Secretary or his delegate may by regulations prescribe.

(d) *Statements to constitute information returns.* A duplicate of any statement made pursuant to this section and in accordance with regulations prescribed by the Secretary or his delegate shall, when required by such regulations, be filed with the Secretary or his delegate.

§ 31.6051–1 *Statements for employees*—(a) *Requirement if wages are subject to withholding of income tax*—(1) *General rule.* * * *

(iii) In the case of statements furnished by the employer for whom services are performed, with respect to wages paid after December 31, 1955, "the total amount of wages as defined in section 3401 (a)" as used in section 6051 (a) (3), shall include all payments made directly by such employer under a wage continuation plan which constitute wages in accordance with § 31.3401 (a)–1 (b) (8) (ii) (*a*), without regard to whether tax has been withheld on such amounts.

(Secs. 6051, 7805, 68A Stat. 747, 917; 26 U. S. C. 6051, 7805)

[SEAL] RUSSELL C. HARRINGTON,
Commissioner of Internal Revenue.

Approved: December 27, 1955.

H. CHAPMAN ROSE,
Acting Secretary of the Treasury.

[F. R. Doc. 55–10455; Filed, Dec. 29, 1955; 8:49 a. m.]

TITLE 39—POSTAL SERVICE

Chapter I—Post Office Department

PART 92—TRANSPORTATION OF MAIL BY RAILROADS

PART 93—TRANSPORTATION OF MAIL BY URBAN AND INTERURBAN ELECTRIC RAILWAY COMMON CARRIERS

PART 96—AIR CARRIERS

Parts 92, 93, and 96 are revised to read as follows:

PART 92—TRANSPORTATION OF MAIL BY RAILROADS

COMPREHENSIVE PLAN OF THE POSTMASTER GENERAL FOR THE TRANSPORTATION OF UNITED STATES MAIL BY RAILROAD

Sec.
92.1 Transportation of the mail.
92.2 Classes and nature of service.
92.3 Authorizations.

REGULATIONS

92.4 Definitions.
92.5 Authorizations.
92.6 Space requirements and determinations.
92.7 Construction and maintenance of RPO cars.
92.8 Services provided by railroad.
92.9 Handling of mail.

AUTHORITY: §§ 92.1 to 92.9 issued under R. S. 161, 396, secs. 1, 5, 39 Stat. 419, 425–431, secs. 304, 309, 42 Stat. 24, 25; 5 U. S. C. 22, 369, 39 U. S. C. 523–541, 542–563.

COMPREHENSIVE PLAN OF THE POSTMASTER GENERAL FOR THE TRANSPORTATION OF UNITED STATES MAIL BY RAILROAD

§ 92.1 *Transportation of the mail.* (a) All railway common carriers engaged in the transportation of United States mail shall transport such mail in the manner, under the conditions, and with the service prescribed by the Post Office Department, and otherwise in accordance with the provisions of the Railway Mail Pay Act of 1916.

(b) Any railway common carrier desiring to be relieved of the transportation of the mail may make application to the Post Office Department accordingly, and consideration will be given to the granting of its request in whole or in part as the needs of the Postal Service will permit.

(c) Mail shall be carried upon such trains as the Post Office Department shall designate from time to time in the interest of the Postal Service, and the character of trains carrying the mails shall be that of the pasenger train operating between passenger or mail handling facilities. When required by the interests of the Postal Service, the Department may provide for the movement of mail between passenger or special mail handling facilities in other than passenger trains.

(d) The transit time of trains upon which mail is transported shall be that which is maintained by the carriers for their general transportation business in connection with their published schedules.

(e) Each railway common carrier engaged in the transportation of mail is required to furnish such cars as are necessary for the service authorized by the Post Office Department.

§ 92.2 *Classes and nature of service.* (a) *Classes of service.* The service shall be of the following classes:

(1) *Full railway post office car service.* Service of this class shall be authorized in standard cars, 60 feet in length, inside measurement, constructed and fitted in accordance with the plans and specifications approved by the Post Office Department for the handling, distribution, storage, and delivery of mail by postal transportation clerks. The requirements for service in such cars shall include the sanitation, cleaning, heating, lighting, and the furnishing of ice and drinking water, both in terminals and en route. When required, such cars shall be suitably placed and made available for advance distribution before train departure.

(2) *Railway post office apartment car service.* Service of this class shall be authorized in standard apartments, 30 and 15 feet in length, inside measurement. The apartment shall be separated from the remainder of the car by a partition. The requirements for service are essentially the same as in full railway post office cars with respect to construction and furnishings, sanitation, cleaning, heating, lighting, furnishing of ice and drinking water, and the placing of apartment cars for advance distribution.

(3) *Storage car service.* Service of this class shall be authorized in standard cars, 60 feet in length, inside measurement, except as hereinafter provided, used exclusively for mails. This service is the transportation and handling of made-up mails in bulk and the requirements for this service shall include the maintenance and cleaning of the cars. The handling of mail into and from all storage cars shall be performed by employees of the railroad companies under instructions of postal employees with respect to proper routing and separation of mails.

(4) *Lesser storage unit service.* Service of this class shall be authorized in less than full-car units of space in mixed traffic, combination, or other cars. This service shall be the transportation and handling of mails of the same type as those handled in storage cars. The requirements for lesser storage unit service are the same as for service in storage cars.

(b) *Nature of services.* The services which the railroads are to render in connection with mail transportation shall be as follows:

(1) Railroad companies are required to perform all necessary switching of cars; to load all mail into cars so as to obtain maximum utilization of the space authorized, including the proper separation, piling, and storing of such mail; and to unload mail from all cars. Handling of all mail within railway post office cars and apartments shall be performed by postal transportation clerks.

(2) Railroad companies are required to transfer all mails between cars in the same train were such transfers are necessary and required by the Post Office Department.

(3) Railroad companies are required to take mails in transit from and deliver them to Government employees and contractors at an accessible point at railroad stations for transfer to and from post offices or railroad stations, and to transfer mails between trains operating into and out of the same railroad station, as required by the Post Office Department.

(4) Railroad companies are required to furnish all necessary facilities for caring for and handling mails, including suitable and adequate space and rooms in their stations for storing and transfer of mails in transit. They shall also furnish suitable and adequate office space for transfer clerks of the Postal Transportation Service when required by the Post Office Department.

(5) Railroad companies are required to transport without extra charge the persons in charge of the mails and the agents and officers of the Post Office Department and Postal Transportation Service, under the conditions prescribed by law and regulations pursuant thereto.

(6) Railroad companies are required to construct, light, and maintain mail cranes and other adequate facilities for the exchange of mails at points or stations on the run where the train does not stop and exchange of mails is necessary.

(7) Railroad companies are required to take the mails from their railroad terminals and stations and deliver them into post offices, postal stations, and Postal Transportation Service terminals; take the mails from post offices, postal stations, and Postal Transportation Service terminals, and deliver them into their railroad terminals and stations; and take the mails from their stations and deliver them into other railroad stations where the distance does not exceed 80 rods, unless other provision for this service is made by the Post Office Department.

§ 92.3 *Authorizations.*—(a) *General.* (1) The anticipated space needs of the Department shall be reflected by regular authorizations which shall be restricted to the needs of the service between established railway passenger or freight division points or junctions. Regular authorizations shall be determined in accordance with such instructions as may be issued by the Postmaster General. Regular authorizations for railway post office cars and railway post office apartments shall remain in effect unless and until modified as provided in this section. Regular authorization for other classes of service shall be effective for a period of one calendar month, subject to modification or cancellation of service as provided in this section.

(2) Excess service may be requested of railroad companies in trains in which no unit of space is regularly authorized or in trains in which the regularly authorized space is inadequate to accommodate the mails available for dispatch. Requests for excess service shall be restricted to the needs of the Service and shall be made in accordance with the instructions issued by the Postmaster General.

(3) Railroad companies are required to anticipate the needs for service only to the extent of the regular space authorizations. Where there are excess mails and baggage or express or both to

be loaded, and the available space is not sufficient to accommodate all, the mails must be given preference. Railroad companies will not, however, be required to unload baggage or express in order to provide space for the excess mail.

(4) The class, frequency, and distance of service to be authorized shall be determined in accordance with the needs of the Postal Service and under such rules and regulations or instructions as shall be prescribed by the Postmaster General.

(b) *Equipment.* (1) Authorization for railway post office cars shall be for cars of the standard length of 60 feet. Authorizations for railway post office apartments shall be for the standard lengths of 30 or 15 feet, as the needs of the Postal Service require. If a railroad company is unable to furnish standard railway post office cars and apartment cars, the Department may accept nonstandard railway post office equipment as a convenience to the carriers provided compensation not exceeding pro rata pay is accepted for the facilities furnished. Any deficiency may be provided in another car in the train when necessary and in such case full pay will be made for the standard car authorized.

(2) The Department does not require and will not authorize railway post office equipment longer than the standard lengths specified herein. However, as a convenience to the carriers, and to enable them to obtain revenue from the operation of space which otherwise might be unused, the Department will accept the excess space beyond the standard lengths authorized for the accommodation of lesser storage unit service when needed.

(3) Cars in excess of 60 feet in which a railway post office unit of 60 feet is partitioned from the remainder of the car may be accepted to fulfill an authorization for a railway post office car of 60 feet.

(4) When a railroad company is unable to furnish cars of the standard length authorized for storage car service, the Department may accept cars less than 60 feet in length, inside measurement, provided compensation not exceeding pro rata pay is accepted for the length of the car furnished. The Department may accept storage cars of greater length than the standard, provided compensation not exceeding pro-rata pay is accepted in accordance with rules and regulations of the Postmaster General.

(c) *Modification of authorizations.* (1) Authorizations for full railway post office car service and railway post office apartment service shall be subject to modification at any time to provide for new and additional service, discontinuance of service, or reduction in service.

(2) Regular authorizations for storage car service and lesser storage unit service shall not be discontinued or reduced during the calendar month unless discontinuance or reduction in the service is necessitated by service changes. Regular authorization for storage car service and lesser storage unit service shall be subject to modification at any time to provide for new and additional service.

(3) Requests for excess service may be made at any time during the calendar month.

(d) *Cancellations.* (1) Whenever there is insufficient mail on any day to warrant the operation of a full storage car, the regular authorization may be cancelled by a representative of the Post Office Department at the initial point of the run of the car. Reasonable advance notice of such cancellation shall be given to the railroad company at the initial point of the run of the car to permit the car to be removed from the train.

(2) Authorizations for classes of service other than full storage car service shall not be cancelled during the calendar month.

REGULATIONS

§ 92.4 *Definitions.* (a) "Railroad" refers to railway common carriers and does not refer to urban and interurban electric railway common carriers.

(b) "RPO" means a railway post office.

(c) "Regularly authorized service, regular authorization," and "regular service" are synonymous terms and refer to service authorized by formal orders issued by the Post Office Department.

(d) "Excess service, excess space, additional service," and "emergency service" are synonymous terms and refer to service which temporarily becomes necessary in a train.

(e) "Train date:" When a train arrives at its destination on the day following departure from the initial point, the date the train is due to leave the initial point of the RPO designation shall be used as the date for all service performed in the train. Each RPO division shall be considered separately in cases where the RPO line is divided into east, middle and west, or north and south divisions.

§ 92.5 *Authorizations*—(a) *Establishment or extension of service.* Regional Transportation Managers shall make recommendations and furnish supporting facts to the Post Office Department concerning the necessity of establishing service on a new railroad, extending service on an existing route, and increasing or decreasing space on a route to conform properly to the mail carried.

(b) *Regular service*—(1) *Formal orders.* Regular service is authorized through formal orders issued by the Post Office Department. Mail must not be carried on any railroad on which mail service has not been authorized.

(2) *Authorized monthly.* (i) The regular unit of an original authorization shall be the smallest unit that will accommodate the mail on 50 percent or more of the trips in any calendar month on the days of the week on which mail is regularly carried.

(ii) Whenever a regular authorization of less than 30 feet of storage space is exceeded on more than 50 percent of the trips in any calendar month:

(*a*) But not beyond the capacity of a 30-foot unit, the appropriate higher unit of 30 feet or less which would have accommodated the mail on 50 percent or more of the trips shall be authorized.

(*b*) Beyond the capacity of a 30-foot unit, a full storage car of appropriate length of 60 or 70 feet shall be authorized on the days of the week on which the lesser storage unit is exceeded on more than 50 percent of the trips on such days.

(iii) Whenever a regular authorization of 30 feet of storage space is exceeded on more than 50 percent of the trips on a particular day of the week in any calendar month, a full storage car of the appropriate length of 60 or 70 feet shall be authorized on such day.

(iv) A regular authorization of 30 feet or less shall be reduced to the appropriate smaller unit which would have accommodated the mail on more than 50 percent of the trips in any calendar month.

(v) A regular authorization of a full storage car shall be reduced:

(*a*) From a 60-foot car to the appropriate lesser storage unit on any day of the week on which a lesser storage unit would have accommodated the mail on more than 50 percent of the trips on such days of the week in any calendar month.

(*b*) From a 70-foot car to a 60-foot car or the appropriate lesser storage unit on any day of the week on which a 60-foot storage car or a lesser storage unit would have accommodated the mail on more than 50 percent of the trips on such days of the week in any calendar month.

(vi) Where 70-foot cars are regularly operated and more than 60 feet of storage space is regularly needed for the accommodation of mail in a 70-foot exclusive car, a 70-foot car shall be authorized on the days of the week on which such car was needed.

(vii) Where mail is carried from the initial terminal in several cars in a train and the cars are diverged to different lines or set out at some point on the run, a unit of space of sufficient size to accommodate all mail transported in the several cars shall be authorized from the initial point to the point of divergence or set out. Where the volume of mail exceeds the capacity of a storage car, a storage car and an appropriate lesser unit shall be authorized.

(viii) An authorization shall be restated to include or omit a particular day of the week when during the previous calendar month:

(*a*) No service was authorized and mail was carried on more than 50 percent of the trips on such a day.

(*b*) Service was regularly authorized and no mail was carried on 50 percent or more of the trips on such a day.

Regular authorizations of all classes of service shall be omitted on holidays and days after holidays when service is not needed on such days. When a holiday falls on a Sunday and is observed on the following Monday, the holiday will be considered as applying to the Monday date.

(ix) Only mail considered as regularly due a train shall be taken into account in setting up regular authorizations under the application of the 50 percent rule.

(x) Changes in regular authorizations, based upon the operation of the 50 percent rule, in any month, except December, shall become effective on the first day of the succeeding month.

(c) *Excess service*—(1) *Requests.* Excess service is authorized by special request of a representative of the Postal Transportation Service or by action of a railroad representative at points where there is no representative of the Postal Transportation Service as provided in subdivision (vi) of this subparagraph. Observe the following when requesting additional space:

(i) At points where a designated postal representative is available and the regularly authorized space in a train is inadequate to accommodate all mail offered for dispatch on a particular trip, the designated postal representative must notify the railroad that additional space is needed at the point where the excess mail is to be loaded.

(ii) When an additional or excess full storage car is needed, the postal representative must:

(a) Request the railroad (at the point where the car is needed) to provide an additional 60- or 70-foot car, as appropriate.

(b) Name the established railway passenger or freight division point or junction to which the car is to be run.

(c) Inform the car supervisor (in the case of an RPO train) of the point to which the additional car is requested, so that its use may be discontinued at that point.

(iii) An additional or excess car must not be terminated at a point intermediate to the point designated in the original request.

(iv) When excess mail is carried in two or more cars in a train, a single request must be made for a unit of sufficient size to cover the entire excess carried. This does not affect the provisions governing requests for a 60-foot storage car in lieu of a lesser unit, or for a 70-foot storage car in lieu of a 60-foot storage car or a lesser unit.

(v) Requests by postal representatives for excess space and cars shall be made to a responsible representative of the railroad at the point where excess mail develops. The space used must be shown on Form 5121, Daily Report of Destination and Destination-Relay Cars, and Form 5122, Daily Report of Working Storage Cars and Lesser Storage Units. Form 5365, Record of Excess Space, must be issued to cover excess space required.

(vi) At points where there is no representative of the Postal Transportation Service, the baggageman on a train on which space is regularly authorized must accept and count all mail. The railroad must issue Form 5369, Report of Mail Carrier in Excess of Space Authorized, to show the number of pieces of excess mail and the points between which they were carried and, if from a missed connection, whether from a train of the same railroad.

(2) *Date on excess space request.* A request for excess space in a train must bear the date of issuance at the top and the train date in the body of the form. See § 92.4 (e)

(3) *Mail to be carried only on authorized trains.* A railroad must not carry mail on a train on which there is no regularly authorized space, unless emergency space is authorized by proper representative of the Postal Transportation Service. Where conditions warrant, a postmaster may be authorized by a regional or district transportation manager to request excess space in a train with no regularly authorized space. The railroad must be informed of the issuance of such authority.

(d) *Storage car service*—(1) *Mail carried in mixed traffic cars under storage car authorizations.* Where mail is carried in mixed traffic cars under a storage car authorization, either regular or excess, and an exclusive car is not furnished, pro rata payment will be based on the mail carried except when:

(i) More than 30 feet, line haul payment will not be less than the rate for a 30-foot lesser storage unit.

(ii) 30 feet or less, line haul payment will be made for the appropriate lesser storage unit.

(2) *Storage car cut out at intermediate point.* Where it is necessary to cut out a storage car at an intermediate point on its run on account of accident or other operating reason and the car is subsequently operated through to destination in service on a following train, full payment will be allowed. However, no payment will be allowed for a unit of excess space which becomes necessary on the regular train because of the withdrawal of the regular storage car, unless the quantity of mail carried in the excess unit is more than that which could have been accommodated in the regularly authorized storage car.

(e) *Diversion of mail from one train to another* Where, because of the diversion of mail from one train to another, the size of the authorized unit of storage space is increased or decreased on a date other than the first day of any month (except December), changes in space authorizations under the 50 percent rule shall:

(1) Be made on the basis of the mail carried from the date the size of the unit was changed to the last day of the month provided that the number of days in such period is not less than 14, and

(2) Become effective on the first day of the succeeding month.

(f) *Allowances for missed connections.* When a delayed connection between trains of the same railroad causes mail due on one train to be dispatched on a following train, transportation of the mail is considered as in lieu of part of the service required on the first train. Additional pay will not be allowed for either train unless the quantity of mail carried in both trains exceeds that which could have been accommodated in the space regularly authorized.

(g) *Service by other than regular train.* The transportation of mail by a railroad on a different train than that on which the same railroad is regularly authorized to carry it will be considered as in lieu of the regularly authorized service when for operating reasons it is dispatched:

(1) On an earlier train;

(2) On another train but over a different line;

(3) On a special or extra train, made up to depart either at the time of the regular train or after arrival of the delayed connection, when the mail carried is that which would have been carried on the regular train if its schedule had been maintained; or

(4) On a subsequent train in which space is not regularly authorized, upon annulment of the regular train.

Additional pay will not be allowed unless the quantity of mail carried exceeds that which could have been accommodated in the space regularly authorized.

(h) *Service by fast train for forwarding or returning to a local point.* When mail is delivered by fast train at a certain point from which it is forwarded or returned on a local train to a local point, a unit of space will be authorized in the local train to carry such mail. When mail is dispatched on a local train from a local station and delivered to a fast train at a certain point, an appropriate unit of space will be authorized in the local train. However, when a railroad desires to forward mail on a train not due to receive it from one station to another station for dispatch from the latter station, permission may be granted with the understanding that the movement shall be without additional compensation and that no delay will result to the mail.

(i) *Combined service by railroad and vessel.* Where service is operated by a railroad partly by rail and partly by vessel and a postal transportation clerk accompanies the mail over the entire run, the line haul rate allowable on the rail mileage shall apply to the vessel mileage. If the clerk does not accompany mail over the water part of the route, that part of the route shall be authorized as storage service.

§ 92.6 *Space requirements and determinations*—(a) *Space requirements*—(1) *Standard full and apartment RPO cars.* Storage space requirements in full and apartment RPO cars, based on standard plans dated April 1, 1949, are as follows:

Car size:	*Linear feet of storage space*
60'	11' 10"
30' Apt	4' 9"
15' Apt	3' 2"

(2) *Nonstandard and oversize RPO cars.* (i) Where a RPO car of lesser length than the unit authorized is furnished and such car provides sufficient distributing facilities for the particular run of the car, pro rata pay will be allowed on the basis of the length of the car furnished as compared with the authorized unit. Where distributing facilities are deficient, a railroad must install such additional facilities as are necessary on the particular run of the car involved.

(ii) Where an RPO car of greater length than the unit authorized is operated and the available storage space in the car in addition to that provided under the authorization is used to capacity, the

additional space provided shall be considered to be as follows:

Size of car operated	In lieu of authorization for—	Additional space provided (measurement basis)
70′	60′	10′
60′	30′	18′
30′	15′	8′ 3″

(iii) Where the authorization provides for a 30- or 15-foot apartment car, all racks not due under such authorizations must be placed in nonuse position to provide storage space.

(iv) Full payment will be allowed for a passageway or part-width apartment car operated in lieu of a standard apartment car if the number of square feet of floor space provided is equal to or greater than that in a standard car of the size authorized. Pro rata pay will be allowed, on the basis of the square feet of floor space provided, where the floor space is less than that in a standard car. Where there is a deficiency in storage space and the entire deficiency is needed and is made up in another part of the train, full payment will be allowed on the basis of the number of square feet of floor space furnished in the train.

(v) Where a railroad is unable to furnish a standard full or apartment RPO car and operates a nonstandard car in lieu of that authorized, pro rata pay is allowed on the basis of the storage space furnished as compared with that due. When necessary, the entire deficiency may be made up in another part of the train and full payment allowed. Any deficiency in storage space in the nonstandard full or apartment RPO car must be taken into account in determining the size of an additional unit of storage space needed.

(b) *Space determinations*—(1) *In oversize RPO cars.* Space in an oversize car shall be determined as follows:

(i) Lesser storage units accommodated in the excess space in an oversize RPO full or apartment car must be determined by count. Payment shall not be allowed in any case for more than the actual inside length of the car.

(ii) When an oversize full or apartment RPO car is furnished to fill an authorized unit of RPO car space of 30 feet or 15 feet, respectively, the clear storage space under the authorization must be determined by count. The pieces due must be based on the storage space requirements in standard RPO cars under the specifications dated April 1, 1949, and the results of the biennial tests.

(iii) In addition to the clear storage space due under the authorization, the space in front of the doors and the aisles in the car is considered available for the accommodation of storage mail to the extent that such space would be available in a standard car of the unit authorized.

(iv) New or remodeled full or apartment RPO cars shall not be considered deficient in storage space where the clear storage space has been decreased by the installation of new or larger interior equipment.

(2) *In lesser storage units.* The number of linear feet needed on both sides of baggage, storage, or oversize RPO or apartment cars for carrying the mail in lesser storage units of 3, 6, 9, 12, 15, 18, 21, 24, 27, and 30 feet shall be determined on the basis of the number of pieces (sacks and outside parcels combined) that will fill 3 linear feet of space on both sides of the car as determined in the last biennial test. Where the space unit is determined by count, each box of baby chicks shall be considered equivalent to one piece. Payment shall not be allowed in any case for more space than the actual inside length of the car.

(3) *Where mail is carried in several cars.* Where mail is carried in two or more cars in the same train under a storage car authorization, either regular or excess, the volume of mail in a car must be determined by

(i) Count, when the linear feet of space occupied by the mail is 30 feet or less.

(ii) Measurement, when the linear feet of space occupied by mail is more than 30 feet.

(iii) Measurement, in exceptional cases where the linear feet or space occupied by the mail is 15 feet or more, when mutually agreed to by the Department and the railroad.

(4) *Where mail is carried in baggage cars.* Where a postal transportation clerk is not on duty in an authorized RPO car until an intermediate point is reached, and mail is carried in a baggage car for the railroad's convenience from the point of authorization to the intermediate point, the space in the baggage car is considered in lieu of space in the RPO car. No additional authorization is made.

(5) *Measurement of cars.* Under the specifications for the construction of RPO cars dated April 1, 1949, the following deductions will be made for space occupied by letter cases, racks, boxes and other interior fittings which are not removed when the RPO cars are used as storage cars.

Car size	Car plan	Deductions in linear feet
60′	R	12′
	T	20′
	T-1	22′
	T-2	24′
30′ Apt.	S	7′
	W	11′
15′ Apt.	X	4′

§ 92.7 *Construction and maintenance of RPO cars*—(a) *Construction*—(1) *Standards.* (i) New full and apartment railway post office cars shall be constructed of steel or an equally indestructible material, and conform to the Departmental specification approved April 1, 1949, and any subsequent modification thereof, in construction and arrangement.

(ii) Full and apartment railway post office cars previously accepted for service shall be brought up to standards of the current specification mentioned, in all material respects, wherever operating conditions render strengthening, standardization, or improvements necessary. Approval must be obtained from the Director, Division of Railway Transportation, before any changes are made in construction or fixtures.

(iii) Cars originally built for other traffic are not acceptable for conversion to full and apartment railway post office cars unless they are constructed or reconstructed to fully meet Departmental specifications. All conversions of this type must be approved by the Director, Division of Railway Transportation, before work is started.

(iv) Post Office Department Form 5292, Certificate of Construction, shall be furnished to the Director, Division of Railway Transportation, for each new and rebuilt steel or steel underframe mail car, by the principal mechanical officer of the railroad.

(v) The ends and underframe of steel underframe apartment railway post office cars shall conform to the Departmental specification for all-steel cars. The section moduli of the metal vertical and members shall not be less than 65, distributed as required by the specification.

(vi) Superstructure of steel underframe cars shall conform to former Plan No. 1, or the specification of August 25, 1914, when reinforced by metal vertical end members. Steel shapes may be used as framing members of the superstructure. Steel sheathing applied to the superstructure on the outside of the car shall not be rated as an additional strength factor.

(vii) Cars that do not meet the above underframe and superstructure requirements shall not be rated as "steel underframe."

(2) *Use of steel and steel underframe cars.* (i) Cars operated in full railway post office authorizations shall be of all-steel construction.

(ii) Only apartment railway post office cars of steel construction shall be operated in trains where a majority of the cars are of steel construction.

(iii) Steel underframe railway post office apartment cars shall not be operated between steel cars, nor between the locomotive and a steel car adjoining, nor in any train where a majority of the cars in the train are of steel construction. Except as provided in subdivisions (iv) and (v) of this subparagraph, all railway post office apartment cars shall be at least equal in construction strength to a majority of the other cars in the train.

(iv) Steel underframe railway post office apartment cars shall be substantially equal in construction to former plan No. 1 or the specification of August 25, 1914, for mainline operation in heavy trains (more than four cars) or on fast schedules (averaging more than 27 miles per hour between termini) Steel underframe railway post office apartment cars having suitable reinforcement on both ends, but only limited reinforcement on the longitudinal sills, may be operated in branch line trains or in light trains (not exceeding four cars) on main lines where the average speed is not more than 27 miles per hour.

(v) Steel underframe railway post office apartment cars operated in

"mixed" trains or as trailers to self-propelled cars shall be substantially equal in construction to former plan No. 1 or the specification of August 25, 1914. In "mixed trains" the railway post office car shall be operated in the rear-end consist, followed only by a passenger coach or caboose. Full-length metal draft gear shall be applied to these cars when deemed necessary.

(vi) One or more cars shall be operated between the locomotive and the railway post office car when practicable.

(3) *Inspection by departmental representatives.* (i) New, rebuilt and repaired railway post office cars shall be inspected by representatives of the Department in accordance with instructions issued by the Director, Division of Railway Transportation.

(ii) Railroad and car-building companies shall advise the Director, Division of Railway Transportation, concerning proposed new construction or rebuilding of railway post office cars and the dates when such cars will be ready for inspection.

(iii) Railroad companies shall notify the proper Regional Transportation Manager when cars are received at any of their shops for repairs, so that a representative from the Regional Transportation Manager's office may inspect such cars and call attention of needed repairs and improvements. Notice shall also be given as to the date cars are to be "outshopped" so that an inspection may be made by the Regional Transportation Manager's representative if considered necessary.

(iv) Railroad companies shall not "outshop" or return to service any full or apartment railway post office car unless requested changes, improvements and repairs have been made in a manner that is acceptable to the Postal service.

(b) *Maintenance*—(1) *Water and sanitation.* (i) Drinking water containers installed in full and apartment railway post office cars shall be of a type which conforms to the standard fixtures specification and has been approved by the Director, Division of Railway Transportation and the United States Public Health Service.

(ii) Drinking water shall be furnished in accordance with the requirements and standards of the United States Public Health Service.

(iii) Fresh water and ice shall be supplied at all times in railway post office cars being used for the distribution of mail.

(iv) Flushing hoppers shall be installed in new and rebuilt full and apartment railway post office cars in accordance with the standard fixtures specification. Flushing hoppers shall be installed in old cars in a manner considered satisfactory by the Director, Division of Railway Transportation.

(v) Toilet paper shall be provided in all cars.

(vi) The water coolers, hoppers and fixtures in railway post office cars shall be thoroughly cleaned after each trip and en route, as often as may be necessary, when in continuous service for more than 24 hours.

(2) *Lighting and heating.* (i) All cars and parts of cars used in mail service shall be equipped with light fixtures, and adequately lighted in accordance with the standard specification, including auxiliary lights for use when there is a primary lighting system failure.

(ii) Railway post office cars or apartments shall be lighted by electricity as the primary system when any of the passenger, baggage, or express cars regularly operated in a train are lighted by electricity.

(iii) When the primary lighting system fails to provide sufficient illumination to complete distribution for a period of more than 30 minutes, it shall be regarded as a total light failure. When insufficient light retards or renders distribution difficult for a period of 30 minutes or less, it shall be regarded as a partial light failure.

(iv) A storage battery of the required capacity shall be provided on each electrically lighted full or apartment railway post office car whether the car is equipped with an axle-generator or supplied from a head-end system.

(v) Electric fans shall be installed in all electrically lighted full and apartment railway post office cars.

(vi) Heating shall be provided in all full and apartment railway post office cars in accordance with the standard construction specification.

(vii) Guards shall be constructed and installed over heat pipes and radiators as required by the specification, in order to prevent damage to the mail.

(viii) Stoves shall not be installed in full and apartment railway post office cars without the approval of the Director, Division of Railway Transportation. Stoves which are not of a safety type approved by the Department, shall not be accepted as auxiliary heating systems. Such stoves shall be equipped with safety features which include automatic door fastener for the stove doors (double doors preferred), baffle plate to prevent fire or live coals from escaping through the smoke-flue opening, and metal casing to prevent overheating objects which may closely surround the stove.

(3) *Legend to be placed on all RPO cars.* (i) Full and apartment railway post office cars shall be lettered on the outside in accordance with the specification for railway post office cars. Cars, or parts of cars, bearing the legend "United States Mail," or "U. S. Mail," shall be reserved exclusively for carrying the mail and shall not be used for other classes of traffic.

(ii) Two properly framed 'No admission" notices shall be placed in each full railway post office car, and one notice in each apartment post office car. These notices shall be located where they may be readily observed on entering the cars at the side doors.

§ 92.8 *Services provided by railroads*—(a) *Railroad employees*—(1) *To load and unload mail.* A railroad must furnish the necessary employees to handle mail, to load and pile mail into and unload mail from storage and baggage cars except as provided in § 92.9 (c) (3) and (d) and to load mail into and receive mail from doorways of RPO cars. Mail intended for delivery to a postal transportation clerk must not be placed in an RPO car unless a postal transportation clerk or an authorized postal representative is on duty.

(2) *As agents of railroads.* Persons employed to handle mail where a railroad is required to receive and deliver mail from post offices or postal stations or to transfer mail to connecting railroads must be regarded as agents of the railroad and not employees of the Postal Service. They need not be sworn but must be of suitable character and intelligence and more than 16 years of age. Postmasters must promptly report any violation of this requirement to the Department.

(3) *Restriction on railroad employees.* Train crews must not be permitted to ride in RPO cars while in use, even though an oversize car is furnished.

(b) *Special trains*—(1) *Designation of trains for local service.* A railroad carrying mail must designate one scheduled train in each direction in every 24-hour period to stop for the dispatch and receipt of mail at any station or point serving a post office, unless relieved of this requirement by the Department. The stop may be regularly scheduled or made on appropriate signal by a postmaster or mail messenger or on notice to the conductor by a postal transportation clerk or baggageman. A railroad may be permitted, under conditions approved by the Department, to transport mail by motor vehicle instead of local rail service.

(2) *For those detoured.* (i) When, for any reason, a mail-carrying train is operated between usual termini over a line other than that on which it is regularly operated, payment will be made on the basis of the regular mileage if it is the shorter. If the mileage via the detour is shorter, payment will be made on the basis of the actual mileage traveled.

(ii) When a detour occurs and a special train is operated over part of the regularly authorized run, a railroad will be required to carry in the special train any mail that can be advanced in delivery without additional compensation, if the volume of mail in both trains does not exceed that which could have been accommodated in the regularly authorized space.

(c) *Transfer office facilities.* Railroads shall furnish suitable office space for transfer clerks to perform their duties at points designated by the Department. Such offices must be kept in order by the railroad, lighted, heated, furnished, supplied with ice water, and provided with toilet facilities where such facilities are not otherwise easily accessible.

(d) *Timetables and distance circulars*—(1) *Timetables.* Railroads must forward timetables, not less than 72 hours before taking effect, to the regional and district transportation managers of the Post Office Department having supervision over service on their lines. They must also notify these officials by telegraph if it becomes necessary to annul, curtail, or suspend

service temporarily. Where a representative of the railroad is on duty, he must notify the postmaster as soon as possible after receipt of notice of any change in the schedule of a mail train.

(2) *Distance circulars.* (i) A railroad shall keep the Post Office Department informed at all times of correct mileage distances between all stations, junctions, or points where mail is put on and off trains. The Department shall be notified immediately of any change in trackage or other facility resulting in changes in mileage distances between such points. Such notification shall be made by submission to the Department, in quadruplicate, of a railroad distance circular, Form No. 2504–B, covering that segment of the route affected. The report shall state the correct distances and furnish the effective date of any change. Claims for pay covering the month following that in which changes in mileage distances occurred shall properly reflect the revised mileage distances, retroactive to the date of change.

(ii) In addition to the notification prescribed above a railroad on or before January 1 of each year shall submit to the Department, in quadruplicate, a certificate prepared by the Chief Engineer stating that the mileage distances previously submitted to the Department, including any corrections filed during the previous calendar year, are correct in every respect.

(iii) For purposes of reporting mileage distances to the Department, a railroad shall measure the mileage between stations, junctions, or points where mail is put on and off trains to the nearest hundredth of a mile. The measurement shall be in such a manner that the aggregate of the distances between the individual stations, junctions, or other points where mail is put on or off trains shall not exceed the distance between the origin and destination of the train on which mail is authorized.

(e) *Letter boxes.* Where the public convenience is better served, the Department may authorize a railroad to place letter boxes in its stations for the receipt of first-class mail other than that for local delivery.

(f) *Protection of mail by railroads—*(1) *Facilities for protection.* A railroad is required to furnish all necessary facilities for the proper protection and handling of mail in its custody.

(2) *Handling mail on platforms.* Mail must not be stored on trucks and allowed to stand on platforms at local stations or transfer points unprotected from depredation. When it is necessary to place close-connection mail on trucks to be left standing on platforms, the mail must be in full view of employees of the railroad at all times. The portion of a platform used for loading, unloading, and transfer of mail must be well lighted. Mail being trucked through subways and tunnels must be carefully guarded.

(3) *Holding mail in storage rooms.* Rooms in which mail is stored must be locked except when a railroad employee is on duty. A strong light must be provided above the door, and unauthorized employees or unknown persons shall not be allowed in the vicinity. When necessary at small stations to provide proper protection, mail must be stored in a locked room or in a room where railroad employees are present.

(4) *Exposing mail to weather* Mail must not be left exposed to weather. Tarpaulins may not be used for protection from weather except in unusual cases or to cover close connection mail being held on station platform trucks.

(5) *While exchanging nonstop station mail.* A railroad employee or other authorized person shall be assigned to guard mail being exchanged at nonstop stations. At nonstop points where a railroad station representative is scheduled to be on duty at the time mail is received or dispatched, he must observe the exchange of mail and, if the pouch is not caught, must retrieve it for proper disposition.

(6) *No smoking in storage cars.* Railroad employees must not smoke or carry lighted cigars, cigarettes, or pipes in storage cars. District transportation managers will take appropriate action with railroad officials in all cases where violations are reported in order to enforce this regulation.

(7) *Reports of failure to comply.* Postal employees must report to the district transportation manager any failures on the part of a railroad to comply with the instructions in this paragraph.

(g) *Withdrawal of car at intermediate point.* (1) Where a RPO car is withdrawn at an intermediate point of its run because of an emergency and mail and clerks are transferred to other cars in the train, payment of the full rate will be allowed to the point of withdrawal. Additional pay will not be allowed for later deadhead operation over the remainder of the run.

(2) From the point of withdrawal to destination, payment will be allowed for the car used:

(i) At a prorate of the RPO car rate based upon the amount of space occupied as compared with the amount superseded when accompanied by PTS clerks.

(ii) At lesser storage unit rates based on the volume of mail carried when in the care of railroad representatives.

(3) A railroad will not be required to cut out an apartment car at an intermediate point on the authorized run of the car to substitute another car used for advance distribution.

(h) *Irregularities.* (1) The Post Office Department may fine a railroad an amount not in excess of the compensation due for the service authorized for failure to furnish an RPO car with sanitary drinking water, adequate toilet facilities, or adequate heat and light; or failure to regularly and thoroughly clean the car, provided the railroad has been given the opportunity to correct the conditions.

(2) The Department may impose fines on railroads for other delinquencies, including:

(i) Allowing the mail, or any part of it, to become wet, lost, injured, or destroyed, or conveying or keeping the mail in a place or manner that exposes it to depredation, loss, or injury.

(ii) Refusing, after demand, to transport mail by any car, boat, or other conveyance which the railroad operates or is concerned in operating on a mail route.

(iii) Leaving or putting aside the mail, or any part of it, for the accommodation of passengers, baggage, express, or other matter.

(iv) Habitual failure to observe schedules.

(v) Leaving mail which arrives at a station within a reasonable time before the departure of the train for which it is intended.

(vi) Failure to use the first practicable means of forwarding delayed mail.

(vii) Failure to sound proper signal when approaching a mail crane.

(viii) Failure to furnish proper accommodations for the handling, storage, and, if necessary, the distribution of mail in a railroad station.

(ix) Failure to place an RPO car in a station at the time specified by the Department for the advance distribution of mail.

(x) Permitting storage cars to accumulate at any point for operation in mail, or mail express, sections when suitable trains are available for dispatch to destinations.

(xi) Failure to operate regularly authorized storage cars in designated trains.

(xii) Failure to unload a storage car at the point of destination within the time specified by the Department when the mail is actually delayed.

(3) The fine in each case shall be such sum as the Postmaster General may impose, in view of the gravity of the delinquency, and shall be deducted from the railroad's pay for service on the route on which the delinquency occurred.

§ 92.9 *Handling of mail—*(a) *Receipt—*(1) *Advance deliveries to trains.* Where a railroad is responsible for the transfer of mail from a postal unit to a train, the railroad must make advance delivery to a train when the Department requires such delivery earlier than the regular closing time of the mail.

(2) *Holding trains for loading.* (i) A train shall not depart from a station and leave mail which is:

(*a*) Being loaded.

(*b*) Being trucked from vehicles or some part of the station to the train.

(*c*) Aboard a connecting train that has come to a stop.

(ii) When holding an important train for mail from a delayed connection would cause serious delay and subsequent train service is available within a reasonable period of time, the Department may authorize a time limit beyond which the important train may not be held except to load first-class mail and daily newspapers, and to load foreign mail if necessary to assure steamer connection, as follows:

(*a*) A railroad must request such authorization, if desired, from the regional transportation manager having jurisdiction of the train involved, specifying reasons and a time limit beyond which it is impracticable to hold the train.

(*b*) Where requests are approved by the regional transportation manager,

any delayed mail involved must be carried without compensation on a later train to the extent of the unused space authorized on the first train. Additional pay is allowed only when the mail carried exceeds the volume which could have been accommodated in the regularly authorized space.

(iii) A mail train must not be held beyond its scheduled departure for mail originating in local postal units or offices of publication. The Postal Transportation Service must fix and enforce an ample time limit in which mail must be delivered to a railroad for dispatch.

(iv) At joint stations where mail is due for transfer from the train of one railroad to that of another, unloaded mail must be held to be in the custody of the outbound railroad which is responsible for the transfer.

(v) When it is necessary to transfer passengers, baggage, or express from one train to another, all mail must also be transferred unless the transfer is a regular connection coming within the provisions of subdivision (ii) of this subparagraph.

(3) *Withholding mail from train.* Regional transportation managers may withhold from dispatch catalog, circular, parcel post, and ordinary paper mail, in the order named, if necessary and advisable to prevent delay to important trains or to effect economies in transportation. Such mail must be forwarded in regular or excess space in other trains.

(4) *Loading by other than railroad employees.* Loading as used in this subparagraph, is defined as loading, separating and piling in the car.

(i) At plants:

(*a*) Destination and destination relay cars. The terminal charge (loading) will not apply to destination and destination-relay cars when loaded by plant employees.

(*b*) Working storage cars and lesser storage units. When mail is loaded by plant employees, the terminal charge will not apply for loading. The proper unloading charge shall be credited to the originating railroad on mail loaded in working storage cars and lesser storage units. The originating railroad shall make proper interline settlement for these charges.

(ii) Loading by star route and mail messenger contractors:

(*a*) When all mail at a point is loaded by a contractor, terminal charges shall be credited in the same manner as for plant loaded storage cars and lesser storage units.

(*b*) When only a portion of the mail is loaded by a contractor and the remainder by railroad employees, the terminal charge will apply to all mail loaded.

(5) *Loading storage cars.* (i) Storage cars shall be loaded solidly at initial point of the run as far as practicable, observing all safety regulations and leaving only such doorways or aisles as are needed en route to handle mail.

(ii) Where for any reason a railroad fails to load a storage car to its space capacity, and mail is available for loading, pro rata pay will be allowed on the basis of the space capacity load. However, where the weight of the mail is exceptionally heavy and a car satisfactory to the Department is furnished, full payment may be allowed for less than space capacity load.

(iii) Where a storage space unit is carried in an oversize RPO car, the mail shall be handled within the car by postal transportation employees.

(6) *Pouch list changes.* Regional or District Transportation Managers of the Post Office Department shall promptly notify the proper official of a railroad of any changes in the list of pouches to be handled by the railroad.

(b) *Nonstop station service.* (1) Railroads are required to construct, light, and maintain mail cranes and other adequate facilities for the exchange of mail at points or stations on the run where the train does not stop and exchange of mail is necessary. Until such facilities are erected, the train's speed must be reduced to permit safe exchange.

(2) When mail is caught or delivered at night, a railroad must furnish the lantern or light to be attached to the crane and keep it in proper condition, regularly placed, and lighted.

(3) The engineer of an RPO train shall give timely notice, by whistle or other signal, of its approach to the nonstop point where mail is delivered or taken from a crane, or both.

(4) Where the Department deems it necessary to the safe exchange of the mail, the railroad is required to reduce the speed or stop the train.

(c) *Transfers*—(1) *At connecting points.* (i) Unless relieved of the requirement by the Department, a railroad carrying mail on its train for a connecting train is required to deliver the connection mail to a departing train of another railroad where the railroad stations are directly contiguous when:

(*a*) Both railroads employ representatives.

(*b*) Passengers or baggage are transferred.

(ii) When the train connection is not immediate, the mail may be delivered to the representative of the railroad operating the departing train.

(iii) A railroad is responsible for separating mail when the mail:

(*a*) Received a previous rail haul and is due for dispatch to a star, mail messenger, or highway post office route at a connecting point.

(*b*) Is received from a star, mail messenger, or highway post office route at a connecting point and is due to receive a subsequent rail haul.

(iv) A railroad must provide necessary tailboard space for exchange of mail with star, mail messenger, or highway post office routes or make delivery at a point accessible to the vehicles involved, unless other arrangements are made between the Department and the railroad.

(v) Railroads must transfer mail between connecting trains of steam railroads and cars of electric railroads when:

(*a*) The steam railroad employs a representative.

(*b*) The steam railroad station is directly contiguous to the electric car tracks.

(*c*) Connection is immediate.

(2) *At night.* (i) Where mail is due receipt or dispatch at night and a railroad employee is on duty, the railroads must retain custody and safeguard the mail until:

(*a*) Dispatch can be made to the proper train.

(*b*) Delivery can be made to a highway post office clerk, mail messenger, star route, or other contractor.

(*c*) Delivery can be made to a post office when the building is directly contiguous to the railroad property.

The Department reserves the right to require such service of a railroad at times when the regular employee of the railroad is not on duty.

(ii) At railroad stations where no railroad employee is on duty, the railroad must, if deemed necessary by the Postal Transportation Service, provide for the exchange of mail by means of a safe room or suitable locked box at the station.

(iii) Where a railroad has no representative at a station, it must furnish the light which shall be cared for and hung by the Department's carrier.

(3) *Between cars on same train*—(i) *Mail transferred between storage and RPO cars.* When a storage car or baggage car containing mail is operated next to an RPO car and postal transportation clerks have access to such a car through end doors, they may handle the mail at intermediate points when considered advisable by the Department and the volume is small.

(ii) *Mail transferred from excess units to authorized distributing space.* At points where practicable, a railroad is required to transfer all or a part of the excess mail from a baggage car to available space in an authorized distributing unit upon the issuance of Form 5050, Request to Transfer Excess-Storage Mail. However, the railroad may elect to carry such mail through to destination with the understanding that the space occupied in the baggage car will be offset by that available in the distributing unit. The request form must show the number of pieces and the point at which they are to be transferred, and must be delivered to the designated railroad representative immediately upon arrival at the station where the transfer is ordered. Postal transportation clerks are not required to accept the transfer of such mail through end doors while the train is in motion. They may do so during the station stop if the storage end of the RPO car is next to the baggage car.

(4) *Combining mail where train is overtaken.* When one mail-carrying train is overtaken by another and mail is combined and forwarded from that point in a single train, payment will not be allowed for the non-mail-carrying train beyond the merger point.

(5) *In emergencies*—(i) *Wreck or washout.* If it becomes necessary to transfer at the place of a wreck or washout, officials and employees of a railroad must see that:

(a) The mail and any postal transportation clerks are promptly transferred.

(b) Every possible convenience is furnished the clerks for working the mail.

(ii) *Other operating conditions.* Whenever operating conditions require that a car with mail be set out, the railroad must arrange to transfer all mail in the car to any available space in the train except:

(a) Where an important passenger train is involved and the transfer of all mail would result in serious delay, such transfer may be limited to first-class, airmail, registered mail, daily newspapers, special delivery and special handling. Other classes will be transferred if time permits.

(b) Mail may be held for a following train if it makes substantially the same connections and delivery as the first train.

Where an RPO car is set out, postal transportation clerks must give all possible assistance in transferring mail.

(d) *Exchange of mail with other carriers.* Railroad agents and other carriers must exchange mail as follows:

(1) If a mail messenger is employed by the Department, a railroad may be relieved of the requirement of receiving or dispatching mail at cars, or from placing it on a crane, when:

(i) A railroad representative is on duty and the volume of mail is small enough so the mail messenger can readily carry it by hand on one trip.

(ii) A railroad representative is not on duty and the railroad makes sufficient trucks available to the mail messenger.

(2) The Department reserves the right to require the performance of such service by railroad representatives at any time during the 24-hour period.

(3) A mail messenger shall call for incoming mail and deliver it to the post office as soon as practicable. If the train's arrival is at night and the post office is closed, the mail may be handled as provided in paragraph (c) (2) of this section.

(4) A mail messenger will wait for a train's arrival when a representative of the railroad is not on duty. At the end of 2 hours, he may return the outgoing mail to the post office for inclusion in the next regular dispatch.

(5) A mail messenger need not wait for a delayed train when:

(i) Other mail would be delayed.

(ii) The railroad representative cannot give advance information as to time of arrival of the train.

(iii) The train is reported as more than 2 hours late.

In such cases the mail messenger may deliver the mail to the railroad's representative. The railroad is responsible for the safe dispatch of outgoing mail to the proper train and the safe delivery of incoming mail to the messenger or other authorized representative of the Department.

(6) Where mail cars are not accessible to vehicles of mail messengers or other carriers, a railroad shall receive and deliver mail at points accessible to such vehicles, except as provided in paragraph (d) (1) of this section.

(e) *Side, terminal, and transfer service.* Requirements for side, terminal, and transfer service are as follows:

(1) Every railroad must, where it has an agent, take mail from and deliver it to all postal units located 80 rods or less from the station, when so required by the Department.

(2) The Department will provide for the transportation of mail to and from postal units located:

(i) More than 80 rods from the nearest railroad station or terminal.

(ii) 80 rods or less from the nearest railroad station or terminal where a representative of the railroad is not on duty.

(3) The Department may relieve a railroad of the performance of service required at any postal unit, and provide for such service, whenever it deems advisable.

(4) In all cases the distance between the railroad station or terminal and postal unit must be measured by the shortest route open to public travel, avoiding angles, from the nearest door of the baggage room to the nearest door of the postal unit involved. Where there is no baggage room or station, the measurement must be made from the middle of the station platform. The route need not be a regularly used public way, and, if over private property, no prohibition against the Government shall hold that has not also been made and enforced against the public.

(5) A railroad shall give 30 days' notice to the Department of the discontinuance of any agency handling mail or the removal of a station beyond the 80-rod limit. A railroad must not be relieved of the duty of handling mail unless this advance notice is given.

(f) *Terminal piece charges in RPO cars.* (1) The per piece charge will not apply to mail loaded into a RPO car while postal transportation clerks are on duty.

(2) The per piece charge will apply to one-half the number of pieces loaded into a RPO car while postal transportation clerks are not on duty when:

(i) Loaded by railroad employees at points prior to origin of clerks' run; or

(ii) Unloaded by railroad employees at points beyond end of clerks' run.

(g) *No terminal charges for additional handling.* Terminal charges will not be allowed for the additional handling of mail when:

(1) A railroad orders a car out of service after mail has been loaded for onward dispatch to destination; or

(2) The receiving railroad at an interchange point refuses to operate a car because of size, type or bad order and transfer of the mail to another car is required.

PART 93—TRANSPORTATION OF MAIL BY URBAN AND INTERURBAN ELECTRIC RAILWAY COMMON CARRIERS

Sec.

AUTHORITY: §§ 93.1 to 93.16 issued under R. S. 161, 396, secs. 1, 5, 39 Stat. 419, 425–431, sec. 1, 40 Stat. 748, secs. 304, 309, 42 Stat. 24, 25; 5 U. S. C. 22, 369, 39 U. S. C. 523–541, 542–568, 570.

§ 93.1 *Service authorized only by Department.* Mail transportation service on an electric railroad shall be established only by direct order of the Post Office Department. No increase, decrease, or change in the service ordered shall be made without first securing authority therefor from the Assistant Postmaster General, Bureau of Transportation.

§ 93.2 *Railroad employees handling mail regarded as agents of carrier* Any person employed by an electric railroad and designated to handle the mail shall be considered an agent of the carrier. Such employees need not be sworn as Postal Transportation Service employees.

§ 93.3 *Compensation for transportation of mail covers transportation of postal employees and agents.* The compensation for the transportation of mail by an electric railroad shall include the transportation of Postal Transportation Service employees who accompany and distribute the mail and postal inspectors and other duly accredited agents of the Department who are performing their duties. Such transportation shall be in cars carrying the mail or on trips designated by the Post Office Department.

§ 93.4 *Construction, equipment, and maintenance of RPO cars.* All railway post office cars or apartments used for the transportation of mail on an electric railroad route shall conform to the requirements stipulated by the Assistant Postmaster General, Bureau of Transportation. All such cars shall be constructed, painted, lettered, equipped, furnished, heated, lighted, and maintained by the companies performing the service, without expense to the Post Office Department.

§ 93.5 *Use of and admission to RPO cars and RPO apartments.* No part of the space authorized in a railway post office car or apartment shall be used for other than mail purposes. Only authorized clerks, carriers, messengers, postal inspectors, and officers and agents of the Post Office Department shall be admitted to such cars and apartments. These persons shall be admitted only upon exhibition of their credentials.

§ 93.6 *Regularly authorized RPO service.* Space in railway post office cars and railway post office apartments will be authorized in both directions of the authorized car run. In railway post office cars the space to be authorized will be the actual linear-foot inside measurement needed to accommodate the mail.

§ 93.7 *Closed pouch service authorized monthly.* (a) The units of space to be authorized for closed pouch service shall be determined on the basis of count of pouches, sacks, and parcels.

(b) Whenever a regular authorization of closed pouch service is exceeded on more than 50 percent of the trips on any day of the week in any calendar month, the appropriate higher unit which was needed on more than 50 percent of trips on such day of the week shall be authorized on that day of the week. A regular authorization shall be reduced to the appropriate smaller unit on any day of the week on which a smaller unit would have accommodated the mail on more than 50 percent of the trips on such day of the week in any calendar month. This rule will not apply to the month of December. Changes in authorizations based upon the operation of this rule in any month (except December) shall become effective on the first day of the succeeding month.

(c) Effective January 1, 1943, 14 pieces of mail (pouches, sacks, outside pieces, or a combination of these classes) will be considered as equivalent to 30 cubic feet of space in authorizing service. This determination is based on the result of the test during the period October 12–18, 1952.

(d) Where not more than 10 pouches, sacks, and parcels are regularly carried on a car constructed and operated primarily for passenger service with no separate compartment for mail, baggage, or express, one "ten-bag" unit will be authorized. Where more than 10 and not more than 28 pieces are regularly carried, a 60-cubic-foot unit will be authorized. Where more than 28 pieces are regularly carried, the appropriate cubic-foot unit (in multiples of 30 cubic feet, based on 30 cubic feet for each 14 pieces of mail or fraction of that number) will be authorized. The space unit required to accommodate the mails at any point on a mail route will be the space authorized for the "authorized car run" in this class of service. For example: Where a 60-cubic-foot unit is necessary over part of the route, and a "10-bag" unit is sufficient over the remainder of the route on the same trip, the authorization will be issued for a 60-cubic-foot unit over the authorized car run of a given trip.

(e) In baggage or express cars or in baggage and express compartments in passenger cars, units of service may be increased or decreased at any point on the car run according to the requirements of the service. For example: A 60-cubic-foot unit (or other large unit) may be authorized over part of the car run, and a smaller unit over another part of the same run.

(f) Closed pouch space in passenger cars, in baggage and express cars, and in baggage and express compartments in passenger cars, will be authorized only between the points the mail is actually carried in either direction of the car run. Such authorization will be considered as the mileage of the "authorized car run."

(g) Space in independent cars will be authorized in both directions and paid for accordingly, unless the car or any part thereof is used by the electric railroad in the return movement. In independent car service, linear-foot space will be authorized in cars 36 feet or less in length to the extent of the full length of the car (inside measurement less any obstructions) In cars more than 36 feet in length, space will be authorized to the extent of 36 linear feet or such additional linear feet of space in the car as may be necessary to accommodate the mail.

§ 93.8 *Excess service.* (a) When greater amounts of mail are carried than are provided for in the regular authorizations, transportation of the excess mail will be paid for as excess service. Upon approval of the Regional Transportation Manager, the District Transportation Manager may authorize a postmaster to employ excess service on additional trips and in independent cars. Additional service needed on an electric railroad during the Christmas holiday period each year should be employed as excess service.

(b) When a closed pouch unit is regularly authorized, the electric railroad's claim for excess mail should be based on 30 cubic feet of space (or multiple thereof) at the prevailing rate for additional mail.

(c) Where an independent car or railway post office service is regularly authorized, the excess service should be requested for a separate unit of closed pouch service. If service becomes necessary on additional trips or in additional independent cars, the postmaster or other Department representative should make requisition on the electric railroad before the service is to be performed. Railroad employees shall accept all mail offered on trips on which regular service is authorized. The railroad shall be entitled to compensation for carrying any excess mail, without further authorization.

(d) Electric railroads are not permitted to carry mail on trips on which space is not regularly authorized, unless requested to do so by a postmaster or by an authorized official of the Post Office Department.

§ 93.9 *Side, terminal, and transfer service—(a) When performed by an electric railroad over whose line the transportation of mail is authorized.* The railroad shall accept the mail from and deliver it into each post office, mail station, or other point of exchange, when required to do so by the Post Office Department. The railroad will receive separate compensation for such service unless it is performed directly contiguous to the line.

(b) *When performed by the Department.* At any point where service is not required to be performed by the electric railroad, the postmaster (if of the fourth class) may be required to transfer mail over slight distances between the cars and the post office without expense to the Department. Where the post office or mail station is located a considerable distance from the point of exchange with the cars, the Department will make provision for the carriage of the mail. Where the train service and agency conditions are similar to those found in the railroad service, the applicable provisions of § 92.9 (c) (1) and (e) of this chapter relative to the exchange of mail shall be observed.

§ 93.10 *Responsibility for safety of the mail.* (a) An electric railroad authorized to perform mail transportation service shall be held responsible for the safety and security of the mail while in the custody of its employees. Where service and conditions are similar to those found in the railroad service, the applicable provisions of § 92.8 (f) of this chapter, relating to responsibility for protection of mail, shall be observed.

(b) In the transportation of mail, the Department is not restricted to the use of the vestibule platform of passenger cars. The mail should be carried in any available space where it can be safeguarded.

§ 93.11 *Designation of stopping points for safe exchange of mail.* Where necessary to effect the safe exchange of mail, an electric railroad shall be required to stop its cars at the points designated by the Post Office Department.

§ 93.12 *Use of signs "U. S. Mail" or "United States Mail."* Such signs shall be displayed on cars actually carrying the mail. The signs shall be painted on cars used exclusively for transportation of mail. Removable signs shall be displayed on cars only when mail is actually being transported therein.

§ 93.13 *Power for canceling machines in cars.* The electric railroad furnishing the railway post office cars or apartments shall provide power to operate any canceling machines used therein. The power shall be provided without additional expense to the Post Office Department.

§ 93.14 *Failure of service.* In the event of an electric railroad's failure to provide for the transportation of mail in accordance with the Department's requirements, temporary mail service by some other mode of conveyance shall be authorized by the Assistant Postmaster General, Bureau of Transportation.

§ 93.15 *Evidence of performance to be submitted by transportation companies.* An electric railroad shall submit monthly evidence of the performance of service. This evidence shall be submitted through the Postal Transportation Service on the form prescribed by the Post Office Department.

§ 93.16 *Deductions and fines.* The provisions of § 92.8 (h) of this chapter, pertaining to deductions and fines which may be imposed on railroads for service failures and delinquencies, shall also apply to electric railroads.

PART 96—AIR CARRIERS

Sec.
96.1 Carriers' responsibilities.
96.2 Flight operations.
96.3 Handling of mail.
96.4 Reports.
96.5 Submission of claims.
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96.7 International airmail regulations.
96.8 Applicability of part.

AUTHORITY: §§ 96.1 to 96.8 issued under R. S. 161, 396, secs. 304, 309, 42 Stat. 24, 25, sec. 405, 52 Stat. 994, as amended; 5 U. S. C. 22, 369, 49 U. S. C. 485.

§ 96.1 *Carriers' responsibilities*—(a) *For mail priority.* From each point served, the normal mail load for each trip must be given priority of transportation over all other traffic on each trip designated for the transportation of mail. The normal mail load for each trip is determined for each day of the week on the basis of the mail dispatched to such trip on the same day of the week for the 5 previous weeks (excluding mail dispatched under unusual conditions) If additional fuel is necessary for a particular trip, the carrier must allow for its weight when booking other traffic for that trip. No part of the normal mail load must be displaced by such additional fuel. Mail in excess of normal must be given priority over all other traffic except revenue passengers with space confirmed prior to knowledge that additional mail would be available. Mail aboard a plane must not be reduced below normal to accommodate local boarding passengers. Carriers in the Alaskan Service must provide adequate weight space on all flights to accommodate the normal or expected volume of mail. In loading, unloading, transferring mail to connecting planes, and delivering mail to the designated postal representative, mail must be given preference over all other cargo (including baggage)

(b) *For protecting mail.* Carriers are held strictly responsible and accountable for mail in their custody. Mail must not be left exposed on trucks or otherwise subjected to depredation or weather. Every precaution must be taken to protect the mail from fire. Mail handlers must be identified by a distinguishing cap, badge, or clothing.

(c) *For cooperating with postal inspectors.* Postal inspectors are special representatives of the Postmaster General. All employees of air carriers engaged in the transportation of mail are required to cooperate with and assist inspectors in the performance of their duties which may include the opening of pouches and sacks and the examination of mail therein.

(d) *For providing quarters*—(1) *At air stops.* Carriers must furnish adequate and suitable quarters at air stops where necessary for the receipt, dispatch, distribution, and transfer of mail, unless and until otherwise provided by the Post Office Department.

(2) *Location of quarters.* Quarters must be located so as to provide expeditious handling of mail to and from planes. They must also be conveniently accessible to all mail-carrying vehicles.

(3) *Requests for changes in quarters.* Requests by air carriers or by officials of the Postal Service for changes in existing quarters or for the establishment of new quarters must be made through the Regional Transportation Manager, Post Office Department, in the area concerned. Plans and specifications are subject to the approval of the Assistant Postmaster General, Bureau of Transportation.

(e) *For preparing schedules.* Schedules must be prepared north to south and east to west, with flights arranged in chronological order left to right. A brief explanatory letter or cover sheet must accompany proposed new schedules. Copies of changes to existing schedules must be filed with the Post Office Department not less than 10 days prior to the effective date. Three copies must be filed with the Assistant Postmaster General, Bureau of Transportation, Post Office Department, Washington 25, D. C. Three copies must be filed with the Assistant Controller, Bureau of Finance, Post Office Department, Washington 25, D. C. One copy must be filed with the Regional Transportation Manager, Post Office Department, in each region concerned. The date of filing will be the date of receipt in the office of the Assistant Postmaster General, Bureau of Transportation, Washington, D. C. A copy of the schedule of all Alaskan routes must also be furnished the District Transportation Manager, Post Office Department, Anchorage, Alaska. The Assistant Postmaster General, Bureau of Transportation, will determine which trips are to be designated for the transportation of mail, and notify the carrier accordingly.

(f) *For answering correspondence.* Air carriers must answer promptly all correspondence from officials of the Post Office Department. Correspondence concerning the operations of the airmail service (except that which is initiated by and directed to the Department at Washington, D. C., and postal inspectors) must be channeled through the Regional Transportation Manager, Post Office Department, having jurisdiction of the region or route involved. Correspondence concerning the operation of the Alaskan airmail service must be channeled through the District Transportation Manager, Post Office Department, Anchorage.

§ 96.2 *Flight operations*—(a) *Notification of plane movement.* Carriers must operate designated trips as nearly as practicable at times shown in filed schedules. In the event of irregular operation, as much advance notice as possible must be given to the airmail field or post office at the initial terminal. When a plane is operating 30 minutes or more late, dispatching offices en route should be notified as to the approximate arrival and departure.

(b) *Originating sections, resumed flights, and delayed operations.* Delayed scheduled trips may operate with available mail from the initial terminal or intermediate points. When a scheduled trip has been canceled at the initial terminal or at some intermediate point, a section may be originated at any intermediate point on the route.

(c) *Omissions of service.* If a scheduled stop will not be made by a trip, the carrier must immediately notify the local postal representative. If service is to be suspended for one week or more, the carrier must immediately notify the Assistant Postmaster General, Bureau of Transportation, Washington 25, D. C., also the Regional Transportation Manager, Post Office Department, in the regions concerned, and the postal units concerned. The same offices must be notified when service is to be resumed.

(d) *Emergency trips and extra sections.* Emergency trips and extra sections operated by the carrier may be used for the transportation of mail. It may be placed on the plane at an unscheduled stop when offered for dispatch by the local postal representative, except that mail will not be accepted if the carrier is not authorized to serve that city. In Alaska, carriers must obtain postal authority for the transportation of mail on emergency trips and extra sections.

§ 96.3 *Handling of mail*—(a) *Delivery to carriers*—(1) *Authorized location.* Mail for outgoing trips must be delivered to the carrier at the time and place authorized by the Regional Transportation Manager in the region concerned.

(2) *Dispatch lists required.* (i) The postal unit delivering mail to carriers for transportation must prepare POD Form 2729, Airmail Dispatch Record, showing weights of mail for each destination and listing mail for off-line points to indicate the point of transfer.

(ii) On receipt of the mail from the local postal unit, the carrier must check the entries and weights as shown on the pouch labels against such entries on the dispatch list.

(iii) If mail received at non-airmail fields from the mail messenger or motor vehicle service driver does not agree with that listed on POD Form 2729, the carrier must make corrections. If pouches are listed but not received, line through the individual listing, the destination subtotal, station total, and grand total. Insert the correct totals adjacent thereto. If mail is received but not listed, insert the weight of each pouch in the proper destination column and amend the totals as instructed above. In either event, note the facts prominently on POD Form 2729 in any blank space. Advise the messenger of any discrepancy.

(iv) In the Alaskan Service, POD Form 2713–A, Alaskan Airmail Dispatch Record, is used in lieu of POD Form 2729. At non-post office points on Alaskan routes where it has not been possible to arrange for the preparation of POD Form 2713–A, Alaskan Airmail Dispatch Record, the carrier's on-and-off record on POD Form 2702 is acceptable as evidence of service performed to these points.

(v) Carriers must obtain a receipt on POD Form 2753, Receipt to Airline, for all mail delivered to an airmail field. Where no airmail field is located, the receipt must be prepared by the carrier for signature of either the mail messenger or motor vehicle service driver.

(b) *Direct transfer between planes.* At stop points where mail is due to be transferred between routes or trips of the same route, the carrier must make the transfer to trips of the same route in accordance with the routing outlined on

the original dispatch forms and to trips of other routes in accordance with transfer forms prepared by the dispatching office. Air carriers must transport POD Forms 2733, Inter-Line Dispatch Record, from the point of dispatch to the point of transfer, delivering the forms to the receiving carrier with the mail. The receiving carrier must accept and receipt for all mail transferred from incoming planes regularly due to connect his route. If the mail does not agree with the forms, the delivering carrier must prepare POD Form 2734, Airmail Exception Record. Actual mail transferred must be listed by on-line destination. In any case of failure to connect the trip prescribed in the original routing, the carrier must contact the local postal unit for routing instructions.

(c) *Delivery to postal representative.* Upon arrival of the plane at the stop point, carrier representatives must immediately unload the mail and deliver it to the authorized postal representative at such point as may be designated. Maximum unloading time may be specified by the Regional Transportation Manager, Post Office Department, in the region concerned. Mail for outgoing trips must be delivered to the carrier at the time and place authorized by the Regional Transportation Manager, Post Office Department, in the region concerned.

(d) *Disposition of mail; canceled flights.* (1) When a trip is to be canceled at the initial terminal or any point en route, the carrier must promptly notify the local postal officials concerned.

(2) In event of cancellation, available regular scheduled trips of the mail messenger or motor vehicle service may be used to transport the mail to the post office or train. If neither service is available, the carrier must promptly arrange for necessary transportation to the post office or train, without expense to the Department. The mail will be disposed of in accordance with instructions from the local postal unit. If unable to obtain instructions the carrier will reroute the mail in accordance with the best available information. He will prepare forms necessary to accomplish any rerouting and the accounting necessary to adjust the claims in accordance with current procedures.

(3) Mail from canceled trips arriving by train to connect a resumed trip must be transported to the airport by the carrier whose service was canceled, unless otherwise instructed by the Postal Transportation Service.

(4) Mail from canceled trips must be reported on prescribed forms. Dispatch forms covering mail not enplaned must be voided if no mail is dispatched.

(e) *Refusals and removals of mail.* Refusals and removals of mail by a carrier (except as provided in § 96.1 (a)) may result in diversion of the mail to another carrier and in the imposition of fines.

§ 96.4 *Reports*—(a) *Refusal or removal report.* When an air carrier cannot accommodate all mail offered for a trip or mail already on board is removed, the carrier concerned must submit POD Form 2760, Refusal or Removal Report, in duplicate to the Regional Transportation Manager, Post Office Department, in whose area the refusal or removal occurs. The report must give the reason for the refusal or removal. It must contain detailed information on the mail refused, removed, and transported, also information relative to the number of passengers and other cargo aboard the plane on departure.

(b) *One-way trip report.* POD Form 2702, Report of One-Way Trip, is an operating form used by the Post Office Department in determining performance by the carrier. The form in duplicate (triplicate in Alaska) is required for each trip designated by the Post Office Department for the transportation of mail over helicopter airmail routes 84, 90, and 111, and over all routes operating within Alaska.

(1) The carrier must prepare the form, listing all stops made in proper station sequence.

(2) In the column headed "Remarks" the carrier must explain all failures, irregularities, and delays in handling the mail.

(3) Where transfers are made by carriers, mail and weights transferred must be entered by both the delivering and receiving carrier on their respective POD Form 2702's in the space immediately below that listing the station at which the transfer is made.

(4) POD Form 2729 must be used to correct entries of weight of on-and-off mail on POD Form 2702. The weight of mail placed on the plane (as listed on POD Form 2729) is the weight due off. When corrections on POD Form 2702 are necessary, the original figures should be lined out but not erased or obliterated. In Alaska POD Form 2713-A, Alaskan Airmail Dispatch Record, is used in lieu of POD Form 2729.

(5) When a flight is canceled at an intermediate or off-line point, POD Form 2702 must be completed with a brief explanation under "Remarks" as to the reason for cancellation and the disposition of the mail.

(6) The carrier must submit POD Form 2702 promptly to the designated Regional Transportation Manager, Post Office Department. In any event the form must be submitted within 14 days after the completion of a trip. The original and triplicate copy of POD Form 2702 for Alaskan routes must be forwarded to the District Transportation Manager, Post Office Department, Anchorage, Alaska, except that forms for routes operating from Seattle and for service performed in Southeastern Alaska must be forwarded to the Regional Transportation Manager, Post Office Department, Seattle, Washington.

(c) *Irregularly handled mail report.* POD Form 2734, Airmail Exception Record, properly completed and endorsed by the carrier, must be used to record any mail not handled by the carriers concerned in accordance with the routing as originally planned. An irregular handling is termed as an off-loading short of or beyond the scheduled destination and the mail is forwarded via another carrier or turned into the post office for redispatch, removals en route, refusals after mail is accepted by the carrier and transfers to a carrier other than as ordered in dispatch forms.

(d) *Accident report.* Carriers must make an immediate telegraph or telephone report of any accident resulting in possible damage to or loss of mail. The report must be made to the Regional Transportation Manager, Post Office Department, in the area concerned. Mail should not be disturbed, except to prevent further damage. It must be guarded until the arrival of a postal official.

§ 96.5 *Submission of claims*—(a) *Domestic*—(1) *Forms required.* All carriers operating within the continental United States and between the United States and terminal points in Canada must submit claims for the transportation of airmail on POD Form 2703, Carrier's Claim for Airmail Transportation. Separate claims must be prepared for each calendar month and include all airmail transported that month. Claims must be prepared from POD Form 2729, Airmail Dispatch Record, POD Form 2733, Interline Airmail Record, and POD Form 2734, Airmail Exception Record. POD Forms 2729 and 2733 are prepared by postal personnel. POD Form 2734 is prepared by either carrier or postal representative when an error in handling is discovered that affects airmail compensation. Carriers should requisition POD Forms 2734 from the Regional Transportation Manager of the region in which the headquarters or supply center of the carrier is located. POD Form 2703, Carriers' Claim for Airmail Transportation, shall be supported by either POD Form 2732, Monthly Summary of Airmail Carried, or by POD Form 2730, U. S. Airmail Billing Card—Domestic. Carriers must provide their own supply of POD Forms 2703, 2732, and 2730, printed in the specified style and size.

(2) *Claims prepared manually.* Separate POD Forms 2732 must be prepared for the normal transportation of mail on regular, and equalized and interchange flights, and for each origin within each type of flight. Prepare the forms in triplicate as follows:

(i) *For regular flights.* (a) Enter the route and trip number, the origin code, and the month and year of service in the appropriate boxes across the top of the form.

(b) Enter the final airmail stops on the billing carrier's system in the "Dest" boxes. Make these entries in ascending order of the Airline Clearing House numerical codes.

(c) Enter the weights shown on POD Forms 2729, 2733, and 2734 in the appropriate "Dest" column and on line with the flight date. Weights shown on each form for a particular destination and date maybe added together.

(d) After all entries have been made to POD Form 2732, add, cross-add, and cross-foot the pound columns.

(e) Enter either the short-line mileage between the origin and each destination or the pound rate in the appropriate "Rate or Miles" boxes. (Helicopter carriers should use scheduled miles flown in airmail service.)

(f) Multiply the total pounds by the appropriate mileage or rate and enter the product in the appropriate box on the line labeled 'Total Pound Miles or Charge

(g) Add the products on the line labeled 'Total Pound Miles or Charge' to determine the grand total pound miles or charge for each POD Form 2732

(h) Add the grand total pound miles or charge on each POD Form 2732, and enter the total to POD Form 2703

(i) If the carrier calculates pound miles instead of charge enter the city classification letter code in the box labeled "City Class" Add the pounds of mail enplaned at each class of city and enter the sums to POD Form 2703

(ii) *For equalized and interchange flights* Prepare POD Form 2732 in the same manner as specified above The following instructions also apply:

(a) Enter the applicable equalization or interchange agreement number in the space provided

(b) Enter the total claim for equalized and interchange flights on POD Form 2703

(c) List excepted shipments on a worksheet which contains the following columns:

Serial number of 2734	Flight number	Flight date	Air stop points		Rate per pound between A and B [1]	Amount
			A Actually off-loaded	B Billed by POD		

[1] Line haul and terminal charge as contained in the mileage and rate manual (Helicopters use scheduled miles flown in airmail service and extend pound miles)

(d) List POD Forms 2734 on the worksheet in ascending trip number order List origin and final airmail stops on the billing carrier's system in ascending order of the Airline Clearing House numerical codes within each trip of initial dispatch

(e) Enter the sum of the deduction for excepted flights on POD Form 2703.

(f) Submit POD Form 2703 to the Regional Controller designated to pay the claim of each carrier supported by the original and duplicate of both POD Form 2732 and the worksheet of exceptions

(3) *Claims prepared on IBM* Carriers must prepare and submit claims as follows:

(i) Use POD Form 2730, U S Airmail Billing Card—Domestic Sort the cards into 4 groups:

(a) Regular shipments (keypunched from POD Forms 2729 and 2733, coded 1 and 2 in column 4 of POD Form 2730)

(b) Equalized or interchange shipments (keypunched from POD Forms 2729 and 2733, coded 1 and 2 in column 4)

(c) Adjustments to regular shipments (keypunched from POD Form 2734 coded 3 and 4 in column 4 of POD Form 2730)

(d) Adjustments to equalized or interchange shipments (keypunched from POD Form 2734 coded 3 and 4 in column 4 of POD Form 2730)

(ii) Sort Groups 1 and 2 into serial number, origin and destination (Airline Clearing House numerical code) order for submission with POD Form 2703 Sort Groups 3 and 4 by ascending trip number and in ascending numerical order of the Airline Clearing House codes for origin and final airmail stop on the billing carrier's system

(iii) POD Form 2703 must contain an entry for each group of IBM cards It must be submitted to the Regional Controller designated to pay each carrier s claim together with one deck of IBM cards in support of the claim

(b) *Hawaiian Islands, Puerto Rico and Virgin Islands* All U S carriers operating within the above-named possessions must submit claims for the transportation of airmail on POD Form 2703 Carrier's Claim for Airmail Transportation, supported by POD Form 2732 Separate claims must be prepared for each calendar month, including all airmail transported that month They must be prepared from POD Form 2942 Delivery of Airmail Dispatches AV-7 Carriers must provide their own supplies of POD Forms 2703 and 2732

(c) *States-Alaska and Intra-Alaska* Carriers operating over States-Alaska and intra-Alaska routes (except NWA) must prepare POD Form 2703 supported by POD Forms 2720 and 2702 when required POD Form 2720 must be prepared from POD Form 2713-A Claims must be prepared for each calendar month computed in accordance with the applicable CAB order

(d) *Designated regional controllers* Claims must be submitted to the appropriate Regional Controller as follows:

Regional Controller	*Air Lines*
Regional Controller Post Office Department Main Post Office Building Philadelphia 4 Pa	Colonial Airlines Mohawk Airlines New York Airways Northeast Airlines Lake Central Airlines Helicopter Air Service
Regional Controller Post Office Department Parcel Post Building, Richmond 19 Va	Allegheny Airlines. Piedmont Aviation. National Airlines Caribbean Atlantic Airlines Eastern Air Lines Riddle Airlines Inc. Capital Airlines
Regional Controller Post Office Department Main Post Office Building P O Box 1557 Dallas 1, Tex	Delta Airlines Southern Airways. Braniff Airways Central Airlines Trans Texas Airways American Airlines
Regional Controller Post Office Department First and Hennepin Streets Minneapolis 1 Minn	Northwest Airlines Ozark Air Lines North Central Airlines
Regional Controller Post Office Department Building 56 Federal Center Denver 2 Colo	United Airlines Trans World Airlines. Frontier Airlines. Continental Air Lines
Regional Controller Post Office Department Main Post Office Building P O Box 3728, Portland 8 Oreg	West Coast Airlines Alaska Airlines Alaska Coastal Airlines Byers Airways Cordova Airlines Ellis Air Lines Northern Consolidated Airlines Pacific Northern Airlines Pan American (Alaska) Airways Reeve Aleutian Airways Wien Alaska Airlines
Regional Controller Post Office Department 1011 Bryant Street, San Francisco 19 Calif	Bonanza Air Lines Southwest Airways Los Angeles Airways Trans Pacific Airlines Western Airlines Hawaiian Airlines Slick Airways Flying Tiger Line

NOTE: Each carrier must file with the appropriate Regional Controller the name of the person or persons authorized to sign the POD Form 2703

§ 96.6 *Deductions and fines.* Carriers transporting mail will observe all applicable postal laws, and regulations issued by the Post Office Department. Carriers may be subject to fines and deductions for failure to comply therewith.

§ 96.7 *International airmail regulations*—(a) *Carriers' responsibilities*—(1) *For mail priority.* The normal mail load for each trip, from each point served in the United States, must be given priority over all other traffic on each trip designated for the transportation of mail. The normal mail load for each trip is determined from weight allocations issued by the Post Office Department, based on consultations with the carriers concerned. Mail in excess of normal must be given priority over all other traffic except revenue passengers with space confirmed prior to knowledge that additional mail would be available.

(2) *For retaining and protecting mail.* In a foreign country, carriers may retain custody of United States civilian mail aboard a trip when the departure is delayed up to 24 hours. On delays over 24 hours, or upon cancellation, civilian mail must be transferred to another carrier either direct or through the local post office. The original mail documents, properly endorsed, must accompany the mail. Military (Army Post Office, Air Post Office, and Fleet Post Office) mail must be held in the custody of the carrier and the Post Office Department, Washington, D. C., promptly requested by wire to furnish instructions for its disposal. Under no circumstances must military mail be turned over to a foreign post office or to a foreign air carrier. For additional instructions see § 96.1 (b)

(3) *For cooperating with postal inspectors.* See § 96.1 (c)

(4) *For preparing schedules.* See § 96.1 (e)

(5) *For answering correspondence.* See § 96.1 (f)

(b) *Flight operations.* Carriers must operate designated trips as nearly as practicable at times shown in filed schedules. As much advance notice as possible of any irregular operation must be given to the United States exchange offices involved.

(c) *Handling of mail*—(1) *Delivery to carrier.* (i) The postal unit delivering the mail must prepare POD Form 2942 (AV–7) Delivery List, listing the origin, destination and weight of each dispatch. One set of Form AV–7 must be prepared for each stop point of the trip.

(ii) On receipt of the mail from the postal unit, the carrier must check the entries on Form AV–7 with the tags and verify the condition of each dispatch.

(iii) When delays occur after mail has been delivered, additional mail may be accepted. Cargo already on board need not be removed nor the flight further delayed for this purpose.

(2) *Labels lost in transit.* When a dispatch is discovered to have lost its label in transit, the carrier may transport the dispatch to its off-loading point if it can be identified from the mail documents. Otherwise it must be delivered to the first local postal unit.

(3) *Transfers between flights.* International carriers must transfer mail between flights of the same company in accordance with routings shown on Form AV–7. They must transfer mail at points in the United States, territories and possessions with domestic carriers as instructd by the Post Office Department.

(4) *Delivery to postal representative.* Upon arrival of the plane at stations, the carrier's representative must immediately unload the mail and deliver it to the authorized postal representative at such point as may be designated. One copy of each set of Form AV–7 must be delivered with the mail, also any additional copies which are required for receipt to the carrier. Any irregularity must be noted on all copies.

(d) *Accident reports.* Accidents occurring outside the United States must be reported to the postal administration of the country to which the carrier belongs and to the postal administration of the country in which the accident occurs.

(e) *Submission of claims.* Claims must be submitted to the Bureau of Finance, Post Office Department, Washington 25, D. C. Claims must be made on POD Form 2703, supported by POD Forms 2720 and AV–7. Each carrier must file with the Bureau of Finance, Post Office Department, Washington 25, D. C., the names of persons authorized to sign POD Form 2703.

(f) *Deductions and fines.* See § 96.6.

§ 96.8 *Applicability of part.* The regulations in this part are applicable to airmail and air parcel post.

[SEAL] ADE MCGREGOR GOFF,
The Solicitor.

[F. R. Doc. 55–10459; Filed, Dec. 23, 1955; 8:50 a. m.]

TITLE 14—CIVIL AVIATION

Chapter II—Civil Aeronautics Administration, Department of Commerce

[Amdt. 143]

PART 608—RESTRICTED AREAS

ALTERATIONS

The restricted area alterations appearing hereinafter have been coordinated with the civil operators involved, the Army, the Navy and the Air Force, through the Air Coordinating Committee, Airspace Panel, and are adopted to become effective when indicated in order to promote safety of the flying public. Since a military function of the United States is involved, compliance with the notice, procedure, and effective date, provisions of section 4 of the Administrative Procedure Act is not required.

Part 608 is amended as follows:

1. In § 608.36, the Fallon, Nevada, area (R–267 formerly D–267), amended on November 10, 1953, in 18 F. R. 7056, is further amended by changing the "Description by Geographical Coordinates" column to read: "Beginning at latitude 39°48'00", longitude 118°12'00"; thence to latitude 39°58'00", longitude 118°11'30"; thence to latitude 39°53'39", longitude 118°26'30", thence to latitude 39°43'00" longitude 118°26'30"; thence to point of beginning"

2. In § 608.36, the Fallon, Nevada, area (R–268 formerly D–268) amended on November 10, 1953, in 18 F. R. 7056, is further amended by changing the "Description by Geographical Coordinates" column to read: "Beginning at latitude 39°24'00", longitude 119°00'00" thence to latitude 39°24'00" longitude 118°55'30"; thence to latitude 39°16'30" longitude 118°37'00"; thence to latitude 39°11'30" longitude 118°32'00"; thence to latitude 39°02'00" longitude 118°32'00"; thence to latitude 39°02'00" longitude 118°51'20"; thence to latitude 39°10'30" longitude 119°06'00"; thence to latitude 39°15'00" longitude 119°00'00" thence to point of beginning"

3. In § 608.36, the Fallon, Nevada, East Gate area (R–270 formerly D–270) amended on November 10, 1953, in 18 F. R. 7056, is further amended by changing the "Description by Geographical Coordinates" column to read: "Beginning at latitude 39°09'00" longitude 118°13'45"; thence to latitude 39°19'00" longitude 118°24'30"; thence to latitude 39°19'00" longitude 118°07'00"; thence to latitude 39°09'00", longitude 118°07'00"; thence to point of beginning"

4. In § 608.36, the Fallon, Nevada, Schurz area (R–269 formerly D–269) amended on November 10, 1953 in 18 F. R. 7056, is rescinded.

(Sec. 205, 52 Stat. 984, as amended; 49 U. S. C. 425. Interprets or applies Sec. 601, 52 Stat. 1007, as amended; 49 U. S. C. 551)

This amendment shall become effective January 20, 1956.

[SEAL] C. J. LOWEN,
Administrator of Civil Aeronautics.

[F. R. Doc. 55–10432; Filed, Dec. 23, 1955; 8:45 a. m.]

TITLE 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs, Department of the Treasury

[T. D. 53939]

PART 18—TRANSPORTATION IN BOND AND MERCHANDISE IN TRANSIT

RECEIPT OF BONDED MERCHANDISE CARRIER

In order to prevent any loss of customs control over imported merchandise which is to be forwarded to another port under an entry or withdrawal for transportation in bond, it is essential that the bonded carrier to whom such merchandise is initially delivered give an immediate receipt to customs on the in-bond manifest covering the merchandise. Although this is the intent of the present regulations, it is considered necessary to make the requirement definite and specific. Section 18.2 (a) of the Customs Regulations is therefore amended to read as follows:

(a) When merchandise is delivered to a bonded carrier for transportation in bond, the carrier's receipt shall be given immediately to the lading inspector on the customs in-bond manifest covering the merchandise. The merchandise shall be laden on the convey-

ance under the supervision of a customs officer, unless the transporting conveyance is not to be sealed with customs seals or the lading inspector accepts the check of the carrier as to the merchandise laden thereon.

(Secs. 551, 624, 46 Stat. 742, as amended, 759; 19 U. S. C. 1551, 1624)

[SEAL] RALPH KELLY,
Commissioner of Customs.

Approved: December 23, 1955.

DAVID W KENDALL,
Acting Secretary of the Treasury.

[F. R. Doc. 55-10454; Filed, Dec. 29, 1955; 8:48 a. m.]

TITLE 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

Chapter I—Veterans Administration

PART 3—VETERANS CLAIMS

PART 4—DEPENDENTS AND BENEFICIARIES CLAIMS

MISCELLANEOUS AMENDMENTS

1. In Part 3, paragraph (f) of § 3.55 is amended to read as follows:

§ 3.55 *Proof of death.* Where a claim is filed on account of the death of a person, the proof of death shall be established as follows:

* * * * *

(f) In cases wherein proof of death, as defined in paragraphs (a) to (e) inclusive, of this section cannot be furnished, the director, claims service, in district office cases, the adjudication officer, in regional office cases, or the chief, dependents claims division, in cases under the jurisdiction of Veterans Benefits Office, District of Columbia, may make a finding of fact of death where death is otherwise shown by competent evidence. Where it is indicated that the veteran died under circumstances which precluded recovery or identification of the body, the fact of death should be established by the best evidence, which from the nature of the case must be supposed to exist.

2. In § 3.57, paragraph (b) (3) is amended to read as follows:

§ 3.57 *Conditions which determine dependency.* * * *

(b) *Sources of income.* * * *

(3) In determining dependency, amounts received from the following named sources, by the father or mother or other member of the family, will be disregarded, viz., (i) as designated beneficiary or otherwise of any insurance under the War Risk Insurance Act, the World War Veterans' Act, 1924, as amended, or the National Service Life Insurance Act, or any amendments to either; (ii) any pension or compensation under laws administered by the Veterans Administration; (iii) benefits under the World War Adjusted Compensation Act or the Adjusted Compensation Payment Act, or any amendments to either; (iv) the 6-month pay made to the designated beneficiary thereof pursuant to 10 U. S. C. 903, 903 (a) and 456; 34 U. S. C. 943 and 944, 50 U. S. C. 975; (v) payments pursuant to Mustering-Out Payment Act of 1944 (Public Law 225, 78th Cong.) (vi) donations or assistance from charitable sources; (vii) payments of servicemen's indemnity under Public Law 23, 82d Congress; (viii) annuities received under the Uniformed Services Contingency Option Act of 1953 (Public Law 239, 83d Cong.)

* * * * *

3. In Part 4, paragraph (b) of § 4.18 is amended to read as follows:

§ 4.18 *Unexplained absence for seven years.* * * *

(b) A determination of whether the evidence furnished is satisfactory will be made by the director, claims service, in district office cases, the adjudication officer, in regional office cases, or the chief, dependents claims division, in cases under the jurisdiction of Veterans Benefits Office, D. C.

4. In § 4.91, paragraph (d) is amended to read as follows:

§ 4.91 *Apportionment.* * * *

(d) *Special apportionments.* In any case wherein it is clearly shown by competent evidence that the application of the foregoing provisions of this section will result in undue hardship upon the widow or children, and relief can be afforded without undue hardship to other persons at interest, the director of claims activities in district office and Veterans Benefits Office cases and the adjudication officer in regional office cases shall determine, without regard to the foregoing provisions of this section, the exact amount to be apportioned to each individual in interest. The chief of the division responsible for death claims will make appropriate recommendation to the official authorized to make determinations in such cases.

(Sec. 5, 43 Stat. 608, as amended, sec. 2, 46 Stat. 1016, sec. 7, 48 Stat. 9; 38 U. S. C. 11a, 426, 707)

This regulation is effective December 30, 1955

[SEAL] J. C. PALMER,
Assistant Deputy Administrator

[F. R. Doc. 55-10453; Filed, Dec. 29, 1955; 8:48 a. m.]

PART 8—NATIONAL SERVICE LIFE INSURANCE

CLAIMS ALLEGING INSURANCE CONTRACT WHERE THERE IS NO APPLICATION FOR INSURANCE ON FILE

Section 8.70 is revised to read as follows:

§ 8.70 *Claims alleging insurance contract where there is no application for insurance on file.* In those cases where claim is made alleging that a person made valid application for National Service life insurance, and that the insurance is subject to reinstatement or a waiver of payment of premiums is in order, or that the insurance matured by reason of the death of the insured at a time when the insurance was in force, and that there was a valid designation of beneficiary, and where there is no application for insurance on file, the claimant will be required to submit all available evidence concerning the alleged application for insurance in such manner and on such forms as may be deemed necessary. The evidence submitted by the claimant and the evidence as disclosed by records in possession of the Government relative to the question as to whether the person made a valid application for insurance will be considered and, if found sufficient to establish as a fact that the said person did apply for insurance and if the other allegations of said claim are sustained, a record of insurance will be established in accordance with such finding. However, if it be determined that the evidence is not sufficient to establish as a fact that the said person applied for insurance as alleged, or determined that any insurance applied for as alleged would not be valid or not subject to reinstatement, or determined that the said person did not die at a time when the insurance would have been in force if insurance had been applied for, or, in case of death, if it be determined that there was no valid designation of beneficiary, the claimant will be so informed and will be notified that unless he desires to appeal to the Administrator, a disagreement exists as to the matters in controversy as contemplated by the provisions of section 617 of the National Service Life Insurance Act of 1940, as amended, as far as the Veterans Administration is concerned. Further, the claimant will be informed that an appeal may be taken from the decision to the Administrator of Veterans Affairs by giving notice in writing in accordance with § 19.2 of this chapter. The Director, Underwriting Service will make all original determinations as to whether a person made valid application for insurance as alleged. The determination as to the validity of beneficiary designations, in death cases, will be made by the claims activity in the office having jurisdiction over the insurance death claim.

(Sec. 608, 54 Stat. 1012, as amended, sec. 6, 65 Stat. 35; 38 U. S. C. 808, 855. Interpret or apply sec. 602, 54 Stat. 1009, as amended; 38 U. S. C. 802)

This regulation is effective December 30, 1955.

[SEAL] J. C. PALMER,
Assistant Deputy Administrator.

[F. R. Doc. 55-10452; Filed, Dec. 29, 1955; 8:48 a. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

Chapter I—Bureau of Land Management, Department of the Interior

Appendix—Public Land Orders

[Public Land Order 1263]

[Colorado 011417]

COLORADO

RESERVING PUBLIC LANDS WITHIN SAN ISABEL NATIONAL FOREST FOR USE OF FOREST SERVICE AS COOPER HILL WINTER SPORTS AREA

By virtue of the authority vested in the President by the act of June 4, 1897

(30 Stat. 34, 36; 16 U. S. C. 473) and otherwise, and pursuant to Executive Order No. 10355 of May 26, 1952, it is ordered as follows:

Subject to valid existing rights, the following-described public lands within the San Isabel National Forest in Colorado are hereby withdrawn from all forms of appropriation under the public-land laws, including the mining but not the mineral-leasing laws, and reserved for use of the Forest Service, Department of Agriculture, as the Cooper Hill Winter Sports Area:

SIXTH PRINCIPAL MERIDIAN

T. 8 S., R. 80 W.,
Sec. 11, S½S½,
Sec. 12, S½SW¼, SW¼SE¼,
Sec. 13, W½, SE¼,
Sec. 14, E½, NE¼SW¼, SE¼NW¼, N½ NW¼.

The areas described aggregate 1,240 acres.

This order shall take precedence over, but not otherwise affect the existing reservation of the lands for national forest purposes.

WESLEY A. D'EWART,
Assistant Secretary of the Interior

DECEMBER 22, 1955.

[F. R. Doc. 55-10435; Filed, Dec. 29, 1955; 8:45 a. m.]

TITLE 45—PUBLIC WELFARE

Chapter III—Bureau of Federal Credit Unions, Social Security Administration, Department of Health, Education, and Welfare

PART 350—CREDIT UNIONS CHARTERED BY THE DISTRICT OF COLUMBIA

Notice having been published in the FEDERAL REGISTER on November 29, 1955 (20 F. R. 8760) that the Director of the Bureau of Federal Credit Unions, with the approval of the Commissioner of Social Security and the Secretary of Health, Education, and Welfare, proposed to prescribe certain regulations concerning the reserves to be established and maintained by credit unions chartered by the District of Columbia, and that prior to the official adoption of the proposed regulations consideration would be given to any data, views, or arguments pertaining thereto submitted to the Director of the Bureau of Federal Credit Unions, Department of Health, Education, and Welfare, Washington 25, D. C., within a period of 30 days from the date of publication of the notice in the FEDERAL REGISTER, and the regulations proposed to be adopted having been set forth in the FEDERAL REGISTER on page 8760 (20 F. R. 8760), and the 30-day period having elapsed and no data, views, or arguments pertaining to the proposed regulations having been submitted, the proposed regulations as published in the FEDERAL REGISTER (20 F. R. 8760) are hereby adopted and promulgated as set forth below effective December 31, 1955.

Dated: December 27, 1955.

[SEAL] J. DEANE GANNON,
Director,
Bureau of Federal Credit Unions.

Approved: December 28, 1955.

CHARLES I. SCHOTTLAND,
Commissioner of Social Security.

Approved: December 29, 1955.

HEROLD C. HUNT,
Acting Secretary of Health, Education, and Welfare.

Sec.
350.1 Reserves in general.
350.2 Special reserve for delinquent loans.

AUTHORITY: §§ 350.1 and 350.2 issued under 47 Stat. 330, as amended; 63 Stat. 632; 26 D. C. Code 512.

§ 350.1 *Reserves in general.* Credit unions organized under the provisions of the District of Columbia Credit Unions Act (D. C. Code 26-501 to 26-518), shall establish and maintain such reserves as may be required by the regulations in this part, or in special cases by the Director of the Bureau of Federal Credit Unions on his finding that the reserves of a credit union chartered by the District of Columbia are insufficient.

§ 350.2 *Special reserves for delinquent loans.* (a) Each credit union chartered by the District of Columbia shall establish a special reserve to be known as the Special Reserve for Delinquent Loans.

(b) For purposes of this section, the provisions of § 302.3 of this chapter with respect to Federal credit unions shall be deemed to be applicable to credit unions chartered by the District of Columbia, except that wherever reference is made in said § 302.3 to the term "the Regular Reserve" such term shall be deemed to refer to the regular reserve provided for by section 26-512 of the District of Columbia Code.

[F. R. Doc. 55-10394; Filed, Dec. 29, 1955; 11:55 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

[25 CFR Part 130]

FORT BELKNAP INDIAN IRRIGATION PROJECT, MONTANA

ORDER FIXING OPERATION AND MAINTENANCE CHARGES

DECEMBER 23, 1955.

Pursuant to Section 4 (a) of the Administrative Procedure Act of June 11, 1946 (Public Law 404, 79th Congress, 60 Stat. 238) and authority contained in the acts of Congress approved August 1, 1914; May 18, 1916; and March 7, 1928 (38 Stat. 583, 25 U. S. C. 385; 39 Stat. 1942; and 45 Stat. 210, 25 U. S. C. 387), and by virtue of authority delegated by the Secretary of the Interior to the Commissioner of Indian Affairs (Order No. 2508; 14 F. R. 258), and by virtue of authority delegated by the Commissioner of Indian Affairs to the Area Director (Bureau Order No. 551, Amendment No. 1, 16 F. R. 5454-7), notice is hereby given of intention to modify § 130.30 of Title 25, Code of Federal Regulations, dealing with irrigable lands of the Fort Belknap Indian Irrigation Project to read as follows:

§ 130.30 *Charges.* Pursuant to the provisions of the acts of August 1, 1914 and March 7, 1928 (38 Stat. 583, 45 Stat. 210; 25 U. S. C. 385, 387), the basic annual charge for operation and maintenance against the irrigable lands to which water can be delivered and beneficially applied under the constructed works of the Fort Belknap Indian irrigation project in Montana, including the lands operated as a tribal farming and livestock enterprise, is hereby fixed at $2.00 per acre for the year 1956 and thereafter until further notice.

Interested persons are hereby given opportunity to participate in preparing the proposed amendments by submitting their views and data or arguments in writing to the Area Director, Bureau of Indian Affairs, Billings, Montana, within 30 days from the date of publication of this notice of intention in the daily issue of the FEDERAL REGISTER.

M. A. JOHNSON,
Acting Area Director.

[F. R. Doc. 55-10456; Filed, Dec. 29, 1955; 8:49 a. m.]

DEPARTMENT OF LABOR

Wage and Hour Division

[29 CFR Part 522]

SHOE MANUFACTURING INDUSTRY

EMPLOYMENT OF LEARNERS

Pursuant to section 14 of the Fair Labor Standards Act of 1938 (52 Stat. 1068, as amended; 29 U. S. C. 214) notice is hereby given that the Administrator of the Wage and Hour Division, United States Department of Labor, proposes to amend paragraph (a) of § 522.55 (29 CFR, Part 522) to read as follows:

(a) The subminimum rates which may be authorized in special certificates issued in the shoe manufacturing industry shall be not less than 80 cents per hour for the first 240 hours and not less than 90 cents per hour for the second 240 hours.

It is proposed that these amendments shall be made effective March 1, 1956, the effective date of the Fair Labor

Standards Amendments of 1955. However, applications under the amended regulations for learners certificates to become effective March 1, 1956, would be entertained by the Administrator prior to such date.

Prior to final adoption of the proposed amendment, consideration will be given to any data, views or arguments pertaining thereto which are submitted in writing to the Administrator of the Wage and Hour Division, United States Department of Labor, Washington 25, D. C., on or before January 19, 1956.

Signed at Washington, D. C., this 23d day of December 1955.

NEWELL BROWN,
Administrator,
Wage and Hour Division.

[F. R. Doc. 55-10451; Filed, Dec. 29, 1955; 8:48 a. m.]

NOTICES

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

IDAHO

NOTICE OF PROPOSED WITHDRAWAL AND RESERVATION OF LANDS; CORRECTION

DECEMBER 20, 1955.

In Federal Register Document 55-4589 (20 F R. 4039) dated June 8, 1955, description of the lands proposed to be withdrawn by the United States Department of Agriculture, Idaho 05279, Sharon Administrative Site Section 13 should read Section 12, correcting the document as follows:

SHARON ADMINISTRATIVE SITE

T. 12 S., R. 42 E.,
Sec. 12, E½W½SW¼, E½SW¼, SW¼NW¼ SE¼, NW¼SW¼SE¼.

J. R. PENNY,
State Supervisor

[F. R. Doc. 55-10460; Filed, Dec. 29, 1955; 8:50 a. m.]

[Document 88]

ARIZONA

SMALL TRACT CLASSIFICATION 47

DECEMBER 22, 1955.

1. Pursuant to authority delegated by Document No. 43, Arizona, effective May 19, 1955 (20 F R. 3514-15) the following described lands totaling 1,051.17 acres located in Pima County are hereby classified for lease and sale for residence and/or business purposes under the Small Tract Act of June 1, 1938 (52 Stat. 609; 43 U. S. C. 682a), as amended:

GILA AND SALT RIVER MERIDIAN

T. 14 S., R. 12 E.,
Sec. 34: Lots 5 to 69 inclusive (S½);
Sec. 35: Lots 5 to 70 inclusive (E½).
T. 15 S., R. 12 E.,
Sec. 3: Lots 5 to 28 inclusive (N½NW¼, SE¼NW¼).
T. 14 S., R. 13 E.,
Sec. 30: Lots 5 to 31 inclusive (N½SE¼ SE¼, S½S½S½);
Sec. 31. Lots 5 to 48 inclusive (N½N½, SE¼SE¼).

2. Classification of the above described lands by this order segregates them from all appropriations, including locations under the mining laws, except as to applications under the Small Tract Act and applications under the mineral leasing laws.

3. The lands classified by this order shall not become subject to lease under the Small Tract Act of June 1, 1938 (52 Stat. 609; 43 U. S. C. 682a) as amended, until it is so provided by an order to be issued by an authorized officer opening the lands to lease, with a preference right to veterans of World War II and of the Korean Conflict and other qualified persons entitled to preference under the Act of September 27, 1944 (58 Stat. 497, 43 U. S. C. 279-284) as amended.

E. R. TRAGITT,
State Lands and Minerals,
Staff Officer

[F. R. Doc. 55-10458; Filed, Dec. 29, 1955; 8:49 a. m.]

[Order 541, Amdt. 8]

AREA ADMINISTRATORS

REDELEGATION OF AUTHORITY CONCERNED WITH LANDS AND RESOURCES

DECEMBER 21, 1955.

Bureau Order No. 541 is further amended as follows:

1. Section 1.6 (k) is amended to read:

(k) *Mining claims.* Take all action on claims pursuant to the General Mining Laws supplemental thereto, and 43 CFR Parts 69, 185, and 186.

2. Section 1.7 (a) (2) (a) is amended to read:

(a) Section 2 of the Act 43 U. S. C. sec. 315 (a)

3. Section 1.8 (d) is amended to read:

(d) *Roads.* Act on matters involving the acquisition of rights-of-way and roads under the Act of July 26, 1955 (69 Stat. 374) including purchases after clearance with the Department of Justice but not including recommendations to the Attorney General for condemnation proceedings: also the approval of projects for the construction of roads to provide access to the timber on public lands subject to that act.

4. Section 1.9 (n) (1) is amended to read:

(n) *Rights-of-way.* (1) Grant right-of-way permits and easements over public and acquired lands, including revested Oregon and California Railroad and reconveyed Coos Bay Wagon Road grant lands in Oregon, and over reservations other than Indian reservations, when authorized by law, and rights-of-way over the Outer Continental Shelf pursuant to 43 CFR Part 202. However, only the Secretary of the Interior may issue an order, pursuant to 43 CFR 244.9 (m), requiring the discontinuance, without liability or expense to the United States, of the use of a right-of-way for the purpose granted.

5. Section 4.11 (b) is amended to read:

(b) *Mineral leases of submerged lands of Outer Continental Shelf.* (1) Make determinations respecting the compliance or noncompliance of mineral leases issued by a State with the requirements of section 6 of the Outer Continental Shelf Lands Act (67 Stat. 462; 43 U. S. C. 1331 et seq.), provided that such determinations shall be submitted to the Solicitor for concurrence.

(2) Act on all matters involving mineral leases pursuant to the act of August 7, 1953 (67 Stat. 462; 43 U. S. C. 1331 et seq.) and the regulations under 43 CFR, Part 201.

EDWARD WOOZLEY,
Director

[F. R. Doc. 55-10457; Filed, Dec. 29, 1955; 8:49 a. m.]

Bureau of Reclamation

BOISE PROJECT, IDAHO

ORDER OF REVOCATION

NOVEMBER 9, 1955.

Pursuant to the authority delegated by Departmental Order No. 2765 of July 30, 1954, I hereby revoke Departmental Orders of December 5, 1905, February 28, 1903, and December 4, 1909, in so far as said orders affect the following-described land; provided, however, that such revocation shall not affect the withdrawal of any other lands by said orders or affect any other orders withdrawing or reserving the land hereinafter described:

BOISE MERIDIAN, IDAHO

T. 1 N., R. 7 E.,
Sec. 22, SE¼NE¼,
Sec. 23, Lots 3 and 7.

The above area aggregates 105.40 acres.

E. G. NIELSEN,
Assistant Commissioner

[69650]

DECEMBER 23, 1955.

I concur. The records of the Bureau of Land Management will be noted accordingly.

The lands released from withdrawal by this order are all within the Boise National Forest. Subject to any valid existing rights and the requirements of applicable law, these lands are hereby opened to such applications, selections, and locations as are permitted on national forest lands, effective at 10:00 a. m. on January 28, 1956.

EDWARD WOOZLEY,
Director,
Bureau of Land Management.

[F. R. Doc. 55-10436; Filed, Dec. 29, 1955; 8:45 a. m.]

UMATILLA PROJECT, OREGON

ORDER OF REVOCATION

OCTOBER 13, 1954.

Pursuant to the authority delegated by Departmental Order No. 2765 of July 30, 1954, I hereby revoke Departmental Order of August 16, 1905, in so far as said orders affect the following-described land; provided, however, that such revocation shall not affect the withdrawal of any other lands by said orders or affect any other orders withdrawing or reserving the land hereinafter described:

WILLAMETTE MERIDIAN, OREGON

T. 4 N., R. 28 E.,
Sec. 3, SE¼SW¼.
T. 5 N., R. 29 E.,
Sec. 28, S½NW¼.

The above areas aggregate approximately 120 acres.

E. V. LINDSETH,
Acting Commissioner

[67978]

DECEMBER 23, 1955.

I concur. The records of the Bureau of Land Management will be noted accordingly.

The lands are included in allowed homestead entries, The Dalles 023684 and 023690, and are, therefore, not subject to the provisions of the act of September 27, 1944 (58 Stat. 747; 43 U. S. C. 279–284) as amended, granting preference rights to veterans of World War II, the Korean Conflict, and others.

EDWARD WOOZLEY,
Director
Bureau of Land Management.

[F. R. Doc. 55–10437; Filed, Dec. 29, 1955; 8:45 a. m.]

ORLAND PROJECT, CALIFORNIA

ORDER OF REVOCATION

NOVEMBER 8, 1954.

Pursuant to the authority delegated by Departmental Order No. 2765 of July 30, 1954 (19 F. R. 5004) I hereby revoke Departmental Orders of December 28, 1908; August 9, 1909; September 3, 1909; July 21, 1913; November 16, 1917; April 27, 1926, and December 23, 1926, insofar as said orders affect the following described lands; provided, however, that such revocation shall not affect the withdrawal of any other lands by said orders or affect any other orders withdrawing or reserving the lands hereinafter described:

MOUNT DIABLO MERIDIAN, CALIFORNIA

T. 16 N., R. 5 W.,
Sec. 20, Lots 11, 15, 16.
T. 17 N., R. 6 W.
Sec. 17, SW¼NE¼, S½NW¼, N½SW¼, NW¼SE¼,
Sec. 18, Lots 2, 3, S½NE¼, SE¼NW¼, NE¼SW¼, N½SE¼.
Sec. 23, NE¼NW¼,
Sec. 29, S½N½, N½S½,
Sec. 30, Lots 2, 3, 4, S½NE¼, SE¼NW¼, E½SW¼, W½SE¼, NE¼SE¼,
Sec. 31, Lots 1, 2, NE¼NW¼.
T. 18 N., R. 6 W.,
Sec. 10, all;
Sec. 15, Lots 1, 2, 3, 4, 5, 6, 7, 8, 12, 13;
Sec. 17, all;
Sec. 22, Lots 4, 5, 11, 12, 13, 14;
Sec. 27, Lots 3, 4, 5, 6, 11, 12, 13, 14;
T. 19 N., R. 6 W.,
Sec. 5, Lots 3, 4, 5;
Sec. 6, Lots 1 to 14, inclusive, W½SE¼, NE¼SE¼,
Sec. 7, Lots 2, 3, 4.
T. 20 N., R. 6 W.,
Sec. 3, all;
Sec. 7, Lot 3;
Sec. 9, all;
Sec. 15, E½NE¼, NE¼SE¼,
Sec. 22, all;
Sec. 27, all;
Sec. 29, all;
Sec. 30, all;
Sec. 31, all.
T. 16 N., R. 7 W.,
Sec. 1, Lots 2, 3, S½NW¼, NW¼SW¼,
Sec. 2, NE¼SE¼, S½SE¼,
Sec. 4, NE¼SW¼, N½NW¼SW¼, SE¼NW¼SW¼, SE¼SW¼, SW¼SE¼,
Sec. 5, NE¼SW¼, S½NW¼SW¼, NW¼SE¼, N½NE¼SE¼,
Sec. 9, NW¼NE¼, S½NE¼, NE¼NW¼, N½NW¼SE¼, NE¼SE¼,
Sec. 10, SW¼NW¼, S½,
Sec. 11, NE¼, S½.
T. 17 N., R. 7 W.,
Sec. 5, Lot 1, SW¼NE¼,
Sec. 6, Lots 6, 7, NE¼SW¼,
Sec. 7, Lots 1, 2;
Sec. 8, SE¼NW¼, S½SE¼,
Sec. 13, NW¼NE¼, S½NE¼, NW¼, N½SE¼,
Sec. 16, NW¼NW¼, S½NW¼, E½SW¼, W½SE¼,
Sec. 17, NE¼NE¼,
Sec. 20, SW¼SW¼, E½SW¼, SE¼;
Sec. 21, NW¼NE¼, E½NW¼, SW¼NW¼, N½SW¼,
Sec. 29, NW¼, N½SW¼, SW¼SW¼,
Sec. 36, S½NE¼, SE¼SW¼, SW¼SE¼, NE¼SE¼.
T. 18 N., R. 7 W.,
Sec. 2, Lot 3, SE¼NE¼, S½NW¼, N½S½, SE¼SE¼,
Sec. 4, Lots 2, 3, SW¼NE¼, SE¼NW¼, NE¼SW¼, W½SE¼,
Sec. 9, NE¼, E½SE¼,
Sec. 11, E½NE¼,
Sec. 12, NW¼NW¼, S½NW¼, N½SW¼, SE¼SW¼,
Sec. 13, N½NE¼NW¼, N½SE¼,
Sec. 15, SW¼,
Sec. 19, Lots 3, 4, SE¼SW¼,
Sec. 21, E½NE¼, SE¼,
Sec. 22, NE¼NW¼,
Sec. 28, W½NE¼, E½NW¼, W½SW¼, NE¼SW¼,
Sec. 29, SW¼NW¼, N½SW¼, SE¼SE¼,
Sec. 30, NE¼, NE¼NW¼, NE¼SE¼,
Sec. 32, NE¼NE¼,
Sec. 33, NW¼NE¼, S½NE¼, NW¼, NW¼SW¼,
Sec. 34, all;
Sec. 35, W½, SW¼SE¼.
T. 19 N., R. 7 W.,
Sec. 9, S½N½, N½SW¼,
Sec. 10, S½N½,
Sec. 11, NW¼NE¼, NW¼, SE¼SW¼, SE¼;
Sec. 12, S½NW¼, NW¼SW¼,
Sec. 14, NW¼NE¼, NW¼, NW¼SW¼,
Sec. 15, SE¼NE¼, SE¼,
Sec. 19, NE¼, NE¼SE¼,
Sec. 20, SW¼NW¼, W½SW¼, SE¼SW¼;
Sec. 22, W½NE¼, E½W½, SW¼SW¼, NW¼SE¼,
Sec. 27, NW¼NW¼,
Sec. 28, NE¼, S½NW¼,
Sec. 29, NE¼, NE¼NW¼;
Sec. 30, NE¼SW¼, S½SW¼ (including Lot 4), N½SE¼, SW¼SE¼,
Sec. 31, NE¼NE¼;
Sec. 32, W½NE¼, NW¼, NE¼SE¼;
Sec. 33, SW¼.
T. 20 N., R. 7 W.,
Sec. 2, SW¼NE¼, SW¼NW¼, N½SW¼, NW¼SE¼;
Sec. 3, S½N½, NE¼SE¼,
Sec. 4, Lots 1, 2, 3, 4, S½NE¼, SW¼NW¼;
Sec. 5, Lots 1, 2, 4, S½N½, W½SW¼,
Sec. 6, Lots 1, 2, 3, 4, SE¼NE¼,
Sec. 21, N½S½, SW¼SW¼;
Sec. 22, S½NE¼, N½S½,
Sec. 23, W½NW¼;
Sec. 32, W½, N½SE¼,
Sec. 33, S½NE¼, N½SW¼, NW¼SE¼,
Sec. 34, NE¼, N½NW¼;
Sec. 35, S½NW¼.
T. 21 N., R. 7 W.,
Sec. 5, SW¼SW¼,
Sec. 6, Lots 4, 5, SE¼NW¼, NE¼SW¼, SE¼,
Sec. 8, NW¼NE¼, S½NE¼, N½NW¼, SE¼NW¼, N½SE¼;
Sec. 9, NW¼SW¼, S½SW¼;
Sec. 13, SW¼NW¼, N½SW¼, NW¼SE¼;
Sec. 14, S½N½, N½S½,
Sec. 15, NE¼, N½NW¼, SE¼NW¼,
Sec. 29, SW¼, SW¼SE¼,
Sec. 27, N½S½,
Sec. 28, SW¼NW¼, N½S½,
Sec. 29, S½N½,
Sec. 30, SW¼NE¼, SE¼NW¼, NE¼SW¼;
Sec. 35, N½NE¼.
T. 17 N., R. 8 W.,
Sec. 11, E½SE¼;
Sec. 12, S½NE¼, SE¼NW¼, SW¼, N½SE¼;
Sec. 14, NW¼NE¼, NE¼NW¼, S½NW¼, NW¼SW¼;
Sec. 15, SW¼, N½SE¼, SW¼SE¼,
Sec. 16, SE¼SE¼,
Sec. 21, E½E½,
Sec. 22, SW¼SW¼,
Sec. 27, W½NW¼, N½SW¼, SE¼SW¼, S½SE¼.
T. 18 N., R. 8 W.,
Sec. 13, all;
Sec. 14, N½S½,
Sec. 15, SW¼NE¼, S½NW¼, N½S½,
Sec. 16, S½N½,
Sec. 17, S½NE¼, SE¼NW¼, N½SW¼, NW¼SE¼,
Sec. 24, W½NE¼, NE¼NW¼, N½SE¼, SE¼SE¼.
T. 21 N., R. 8 W.,
Sec. 1, Lots 1, 2, 3, 4, S½NE¼, SE¼NW¼, NW¼SW¼, S½SW¼, NW¼SE¼,
Sec. 11, SE¼NE¼, NE¼SE¼, S½SE¼,
Sec. 12, N½NW¼, SW¼NW¼,
Sec. 14, W½NE¼, E½NW¼, SW¼SW¼, N½SW¼.
T. 22 N., R. 8 W.,
Sec. 6, Lots 4 to 11, inclusive, 13, 14, SW¼SE¼,
Sec. 7, Lots 1, 2, 3, 4;
Sec. 8, NW¼, NE¼SW¼, SE¼,
Sec. 9, SW¼SW¼,
Sec. 16, E½NW¼,
Sec. 17, NE¼NE¼,
Sec. 22, S½NE¼, N½NW¼, SE¼NW¼, N½SE¼, SE¼SE¼,
Sec. 23, W½SW¼,
Sec. 26, W½NW¼, NW¼SW¼,
Sec. 27, SE¼NE¼, E½SE¼,
Sec. 34, E½NE¼,
Sec. 35, S½NE¼, NW¼, N½SE¼,
Sec. 36, SW¼NW¼, NW¼SW¼, S½SW¼.
T. 22 N., R. 9 W.,
Sec. 1, NE¼NE¼ (Lot 1).
T. 23 N., R. 9 W.,
Sec. 18, Lot 4, SE¼SE¼,
Sec. 19, Lots 1, 2, E½NE¼,
Sec. 20, W½NW¼, N½SW¼, SE¼SW¼, NW¼SE¼, S½SE¼,
Sec. 21, SW¼SW¼,
Sec. 23, SW¼NE¼, NW¼NW¼, E½W½, W½SE¼,
Sec. 23, NE¼NE¼,
Sec. 31, Lot 2, SE¼NE¼,
Sec. 32, S½N½, N½SE¼,
Sec. 33, NW¼NE¼, S½N½, NE¼NW¼, N½S½,
Sec. 34, SE¼NE¼, SW¼NW¼, N½S½,
Sec. 35, S½N½, NW¼SW¼, NE¼SE¼.

T. 23 N., R. 10 W.,
Sec. 13, SW¼NE¼, N½NW¼, SE¼NW¼, S½SW¼, SE¼.

The above areas aggregate 34,466.59 acres.

E. V. LINDSETH,
Acting Commissioner

[1243675]

DECEMBER 23, 1955.

I concur. The records of the Bureau of Land Management will be noted accordingly.

Most of the lands released from withdrawal by this order are withdrawn for the Mendocina National Forest. Subject to any valid existing rights and the requirements of applicable law, these lands are hereby opened to such applications, selections, and locations as are permitted on national forest lands, effective at 10:00 a. m. on January 28, 1956.

Portions of the released lands have been patented. The following-described lands are vacant public domain:

MOUNT DIABLO MERIDIAN

T. 16 N., R. 5 W.,
Sec. 20, lots 11, 15, and 16.
T 17 N., R. 6 W.,
Sec 23, NE¼NW¼.
T. 18 N., R. 6 W.,
Sec. 10, lots 2, 3, 7, 11, 12, and 16;
Sec. 15, lots 3 and 6;
Sec. 17, NW¼SW¼, SE¼SW¼,
Sec. 22, lots 11 and 14;
Sec. 27, lots 5, 12, and 13.
T. 19 N., R. 6 W.,
Sec. 5, lots 3, 4, and 5;
Sec. 6, lots 1 to 14, inclusive, W½SE¼, NE¼SE¼,
Sec. 7, lots 2, 3, and 4.
T. 20 N., R. 6 W.,
Sec. 7, lot 3;
Sec. 15, E½NE¼, NE¼SE¼,
Sec. 29, E½W½, SW¼SW¼,
Sec. 31, SW¼NE¼, SE¼SW¼.
T. 19 N., R. 7 W.,
Sec. 12, S½NW¼, NW¼SW¼.
T. 20 N., R. 7 W.,
Sec. 2, NW¼SE¼.

The areas described aggregate 2,234.88 acres.

The restored lands lie mostly in extreme western Glenn County, California, on the drainage of Stoney Creek. In general, the topography is rough and mountainous, becoming somewhat more gentle on the eastern side near Stoney Gorge Reservoir, and steeper and higher on the western side as the divide between the Pacific Ocean and Central Valley drainages is neared. The vegetation consists mostly of such scrub and brush species as chamise, scrub oak, toyon, and manzanita. On the higher portions of the land a small amount of timber is to be found, although most of this is short and scrubby and of low value. The land is, in general, too rough and mountainous for cultivation. Much of the land has some value for grazing.

No application for the restored lands may be allowed under the homestead, desert-land, small tract, or any other nonmineral public-land law unless the lands have already been classified as valuable or suitable for such type of application, or shall be so classified upon the consideration of an application. Any application that is filed will be considered on its merits. The lands will not be subject to occupancy or disposition until they have been classified.

Subject to any valid existing rights and the requirements of applicable law, the restored lands are hereby opened to filing of applications, selections, and locations in accordance with the following:

a. Applications and selections under the nonmineral public-land laws may be presented to the Manager mentioned below, beginning on the date of this order. Such applications and selections will be considered as filed on the hour and respective dates shown for the various classes enumerated in the following paragraphs:

(1) Applications by persons having prior existing valid settlement rights, preference rights conferred by existing laws, or equitable claims subject to allowance and confirmation will be adjudicated on the facts presented in support of each claim or right. All applications presented by persons other than those referred to in this paragraph will be subject to the applications and claims mentioned in this paragraph.

(2) All valid applications under the Homestead, Desert Land, and Small Tract Laws by qualified veterans of World War II or of the Korean Conflict, and by others entitled to preference rights under the act of September 27, 1944 (58 Stat. 747, 43 U. S. C. 279–284 as amended) presented prior to 10:00 a. m. on January 28, 1956, will be considered as simultaneously filed at that hour. Rights under such preference right applications filed after that hour and before 10:00 a. m. on April 28, 1956, will be governed by the time of filing.

(3) All valid applications and selections under the nonmineral public-land laws, other than those coming under paragraphs (1) and (2) above, presented prior to 10:00 a. m. on April 28, 1956, will be considered as simultaneously filed at that hour. Rights, under such applications and selections filed after that hour will be governed by the time of filing.

b. The lands have been open to applications and offers under the mineral-leasing laws. They will be open to location under the United States mining laws beginning at 10:00 a. m. on April 28, 1956.

Persons claiming veterans preference rights must enclose with their applications proper evidence of military or naval service, preferably a complete photostatic copy of the certificate of honorable discharge. Persons claiming preference rights based upon valid settlement, statutory preference, or equitable claims must enclose properly corroborated statements in support of their claims. Detailed rules and regulations governing applications which may be filed pursuant to this notice can be found in Title 43 of the Code of Federal Regulations.

Inquiries concerning the lands shall be addressed to the Manager, Land Office, Bureau of Land Management, Sacramento, California.

EDWARD WOOZLEY,
Director,
Bureau of Land Management.

[F. R. Doc. 55–10438; Filed, Dec. 29, 1955; 8:46 a. m.]

DEPARTMENT OF COMMERCE

Maritime Administration

BLOOMFIELD STEAMSHIP CO.

APPLICATION FOR PERMISSION TO OPERATE "SS ALICE BROWN" BY CHARTER

Notice is hereby given of the application of Bloomfield Steamship Company for written permission of the Maritime Administrator under section 805 (a) of the Merchant Marine Act, 1936, 46 U. S. C. 1223, to permit operation of its owned vessel "SS Alice Brown" by the charterer of said vessel, States Marine Corporation, on a voyage (commencing January 17/30, 1956) carrying lumber and lumber products only from United States North Pacific ports to Poughkeepsie, N. Y. and New Haven, Connecticut.

Any person, firm or corporation having any interest in such application and desiring a hearing on issues pertinent to section 805 (a) should notify the Secretary, Maritime Administration within fifteen (15) days from the date of publication of this notice in the FEDERAL REGISTER.

Dated: December 27, 1955.

By order of the Maritime Administrator.

[SEAL] A. J. WILLIAMS,
Secretary.

[F. R. Doc. 55–10461; Filed, Dec. 29, 1955; 8:50 a. m.]

DEPARTMENT OF AGRICULTURE

Office of the Secretary

NORTH CAROLINA

DESIGNATION OF AREAS FOR ECONOMIC EMERGENCY LOANS

For the purpose of making Economic Emergency loans pursuant to section 2 (b) of Public Law 38, 81st Congress (12 U. S. C. 1148a–2 (b)), as amended, it has heretofore been determined that an economic emergency exists that has caused a need for agricultural credit that cannot be met for a temporary period from commercial banks, cooperative lending agencies, or by the Farmers Home Administration under its regular programs, or other responsible sources, in those counties listed below in the State of North Carolina which were in the area affected by a major disaster determined by the President pursuant to Public Law 875, 81st Congress (42 U. S. C. 1855; 19 F. R. 6557, 6974, and 8758)

NORTH CAROLINA

Alamance.
Alexander.
Anson.
Ashe.
Caldwell.
Caswell.
Chatham.
Davidson.
Durham.
Forsyth.
Guilford.
Harnett.
Henderson.
Hoke.
Iredell.
Johnston.
Lee.
Montgomery.
Moore.
Northampton.
Orange.
Randolph.
Rockingham.
Richmond.
Stokes.
Surry.
Union.
Wake.
Watauga.
Wilkes.
Yadkin.

The period for making such loans in such counties is hereby extended or further extended until December 31, 1956. Thereafter, no such loans will be made in those counties except to persons who previously received such assistance.

Done at Washington, D. C., this 23d day of December 1955.

[SEAL] TRUE D. MORSE,
Acting Secretary.

[F. R. Doc. 55-10449; Filed, Dec. 29, 1955; 8:47 a. m.]

WASHINGTON AND OREGON

DESIGNATION OF AREAS FOR PRODUCTION EMERGENCY LOANS

For the purpose of making Production Emergency loans pursuant to section 2 (a) of Public Law 38, 81st Congress (12 U. S. C. 1148a-2 (a)) as amended, it has been determined that in the following named additional counties in the States of Washington and Oregon a production disaster has caused a need for agricultural credit not readily available from commercial banks, cooperative lending agencies, or other responsible sources.

OREGON

Columbia.	Multnomah.	Polk.

WASHINGTON

Clark.	Pierce.
Cowlitz.	San Juan.
Island.	Skagit.
King.	Snohomish.
Kitsap.	Thurston.
Lewis.	Whatcom.

Pursuant to the authority set forth above, such loans will not be made in such counties after December 31, 1956, except to persons who previously received such assistance.

For the purpose of making Production Emergency loans pursuant to section 2 (a) of said Public Law 38, it was heretofore determined that a production disaster has caused the need for agricultural credit not readily available from commercial banks, cooperative lending agencies, and other responsible sources in the following counties in the State of Oregon (20 F. R. 8393)

OREGON

Clackamas.	Yamhill.
Marion.	Washington.

Pursuant to the authority set forth above, such loans will not be made in the counties listed immediately above after December 31, 1956, except to persons who previously received such assistance.

Done at Washington, D. C., this 23d day of December, 1955.

[SEAL] TRUE D. MORSE,
Acting Secretary.

[F. R. Doc. 55-10450; Filed, Dec. 29, 1955; 8:47 a. m.]

MISSISSIPPI

DESIGNATION OF AREA FOR PRODUCTION EMERGENCY LOANS

For the purpose of making loans pursuant to section 2 (a) of Public Law 38, 81st Congress (12 U. S. C. 1148a-2 (a)), certain counties in the State of Mississippi have heretofore been found to have suffered from a production disaster causing a need for agricultural credit not readily available from commercial banks, cooperative lending agencies, or other responsible sources (19 F. R. 6557).

The period for making Initial Production Emergency loans in Issaquena and Sharkey Counties, Mississippi, is hereby extended to December 31, 1956. Thereafter, in said counties such loans will not be made except to persons who previously received such assistance.

Done at Washington, D. C., this 23d day of December 1955.

[SEAL] TRUE D. MORSE,
Acting Secretary.

[F. R. Doc. 55-10467; Filed, Dec. 29, 1955; 8:51 a. m.]

DEPARTMENT OF LABOR

Wage and Hour Division

LEARNER EMPLOYMENT CERTIFICATES

ISSUANCE TO VARIOUS INDUSTRIES

Notice is hereby given that pursuant to section 14 of the Fair Labor Standards Act of 1938, as amended (52 Stat. 1068, as amended; 29 U. S. C. and Sup. 214) and Parts 522 and 527 of the regulations issued thereunder (29 CFR Parts 522 and 527) special certificates authorizing the employment of learners at hourly wage rates lower than the minimum wage rates applicable under section 6 of the act have been issued to the firms listed below. The employment of learners under these certificates is limited to the terms and conditions therein contained and is subject to the provisions of Parts 522 and 527. The effective and expiration dates, occupations, wage rates, number or proportion of learners and learning periods for certificates issued under general learner regulations (§§ 522.1 to 522.12) are as indicated below; conditions provided in certificates issued under special industry regulations are as established in these regulations.

Apparel Industry Learner Regulations (29 CFR 522.20 to 522.24, as amended April 19, 1955, 20 F. R. 2304)

American Modes, Inc., White Hall, Ill., effective 12-28-55 to 12-27-56; 10 learners for normal labor turnover purposes (women's and junior dresses).

American Modes, Inc., Roodhouse, Ill., effective 12-28-55 to 12-27-56; 10 percent of the total number of factory production workers for normal labor turnover purposes (misses', women's junior dresses).

Blue Bell, Inc., Nappanee, Ind., effective 12-19-55 to 12-18-56; 10 percent of the total number of factory production workers for normal labor turnover purposes (girls' and ladies' dungarees).

Devil Dog Manufacturing Co., Inc., Wendell, N. C., effective 12-29-55 to 12-28-56; 10 percent of the total number of factory production workers for normal labor turnover purposes (children's and ladies' dungarees).

J. Freezer & Son, Inc., Rural Retreat, Va., effective 12-23-55 to 12-22-56; 10 percent of the total number of factory production workers for normal labor turnover purposes (men's and boys' shirts).

Griffin Garment Co., 123 Experiment Street, Griffin, Ga., effective 12-18-55 to 12-17-56; 10 percent of total number of factory production workers for normal labor turnover purposes (brassieres).

Honea Path Shirt Co., Honea Path, S. C., effective 12-13-55 to 12-12-56; 10 percent of the total number of factory production workers for normal labor turnover purposes (men's sport shirts and pajamas).

F. Jacobson & Sons, Inc., Kingston, N. Y., effective 12-31-55 to 12-30-56; 10 percent of the total number of factory production workers for normal labor turnover purposes (men's shirts).

Lark Dress Co., Fifth and Walnut Streets, Shamokin, Pa., effective 12-22-55 to 12-27-56; 10 percent of the total number of factory production workers for normal labor turnover purposes (women's and misses' dresses).

Morgan Shirt Co., Inc., Morgantown, W. Va., effective 12-28-55 to 12-27-56; 10 percent of the total number of factory production workers for normal labor turnover purposes (women's and girls' blouses).

P. & M. Dress Co., Main Street, Turkey Run, Shenandoah, Pa., effective 12-14-55 to 6-20-56; 10 learners for normal labor turnover purposes (ladies' dresses) (replacement).

Reidbord Bros. Co., Blairton, Washington Township, Westmoreland County, Pa., effective 12-21-55 to 12-20-56; 10 percent of the total number of factory production workers for normal labor turnover purposes (men's work trousers and work shirts).

Sanford Manufacturers, Inc., 400 Sanford Avenue, Sanford, Fla., effective 12-19-55 to 12-18-56; 10 learners for normal labor turnover purposes (men's and boys' pajamas and shirts).

Southern Garment Manufacturing Co., Inc., Culpeper, Va., effective 12-28-55 to 12-27-56; 10 percent of the total number of factory production workers for normal labor turnover purposes (work trousers, work jackets).

Stahl-Urban Co., Brookhaven, Miss., effective 12-19-55 to 12-18-56; 10 percent of the total number of factory production workers for normal labor turnover purposes (men's and boys' work trousers, outerwear jackets, etc.).

W. E. Stephens Manufacturing Co., Inc., Pulaski, Tenn., effective 1-2-56 to 1-1-57; 10 percent of the total number of factory production workers for normal labor turnover purposes (men's and boys' cotton work pants).

Waverly Garment Co., Waverly, Tenn., effective 12-27-55 to 12-26-56; 10 percent of the total number of factory production workers for normal labor turnover purposes (work shirts).

Wildwood Clothing Co., Inc., 112 East Schellenger Avenue, Wildwood, N. J., effective 12-12-55 to 12-11-56; 3 learners for normal labor turnover purposes (ladies' Bermuda shorts).

Wildwood Clothing Co., Inc., 112 East Schellenger Avenue, Wildwood, N. J., effective 12-12-55 to 12-11-56; 7 learners for normal labor turnover purposes (men's pants).

Cigar Industry Learner Regulations (29 CFR 522.80 to 522.85, as amended April 19, 1955, 20 F. R. 2304)

General Cigar Co., Inc., 715-25 North Fourth Street, Allentown, Pa., effective 12-27-55 to 12-26-56; 10 percent of the total number of factory production workers engaged in each occupation listed hereinafter. Cigar machine operating, cigar packing (cigars retailing for more than 6 cents) 320 hours each at 65 cents an hour; machine stripping, hand stripping 160 hours each at 65 percent an hour.

General Cigar Co., Inc., 154 West Church Street, Manticoke, Pa., effective 12-17-55 to 12-16-56; 10 percent of the total number of factory production workers engaged in each occupation listed below. Cigar machine operating, cigar packing (cigars retailing for over 6 cents) 320 hours at 65 cents an hour;

machine stripping 160 hours at 65 cents an hour.

General Cigar Co., Inc., Robert Burns Drive, Philipsburg, Pa., effective 12-17-55 to 12-16-56; 10 percent of the total number of factory production workers in each occupation listed hereinafter. Cigar machine operating 320 hours at 65 cents an hour; cigar packing (cigars retailing for 6 cents or less) 160 hours at 65 cents an hour; machine stripping 160 hours at 65 cents an hour.

General Cigar Co., Inc., 1301 Eleventh Seventh Avenue, Huntington, W. Va., effective 12-17-55 to 12-16-56; 10 percent of the total number of factory production workers in each occupation listed hereinafter. Cigar machine operating; packing (cigars retailing for more than 6 cents each) 320 hours each at 65 cents an hour; handstripping, machine stripping 160 hours each at 65 cents an hour.

General Cigar Co., Inc., Fifth and Hickory Streets., Mt. Carmel, Pa., effective 12-17-55 to 12-16-56; 10 percent of the total number of factory production workers in each occupation listed hereinafter. Cigar machine operating, cigar packing (cigars retailing for over 6 cents); 320 hours each at 65 cents an hour; machine stripping; 160 hours at 65 cents an hour.

Glove Industry Learner Regulations (29 CFR 522.60 to 522.65, as amended April 19, 1955, 20 F. R. 2304)

The Boss Manufacturing Co., 105 Elm Street, Chillicothe, Mo., effective 12-15-55 to 12-14-56; 10 percent of the total number of machine stitchers for normal labor turnover purposes (work gloves).

Knoxville Glove Co., 819 McGhee Street, Knoxville, Tenn., effective 12-31-55 to 12-30-56; 10 percent of the total number of machine stitchers for normal labor turnover purposes (cotton, jersey and leather palm work gloves).

Knitted Wear Industry Learner Regulations (29 CFR 522.30 to 522.35, as amended April 19, 1955, 20 F R. 2304)

Lady Jane Manufacturing Co., Inc., 125 South Spruce Street, Mt. Carmel, Pa., effective 12-27-55 to 12-26-56; 5 percent of the total number of factory production workers for normal labor turnover purposes (ladies' underwear).

Regulations Applicable to the Employment of Learners (29 CFR 522.1 to 522.12, as amended February 28, 1955, 20 F R. 645)

Palm Beach Co., Talladega, Ala., effective 12-19-55 to 10-30-56; 7 percent of the total number of factory production workers for normal labor turnover purposes. Machine operators (except cutting), handsewers, pressers each at 480 hours. Learners shall be paid not less than 70 cents an hour for the first 240 hours and not less than 72½ cents an hour for the remaining 240 hours (men's summer wash pants).

The following special learner certificate was issued in Puerto Rico to the company hereinafter named. The effective and expiration dates, the number of learners, the learner occupations, the length of the learning periods and the learner wage rates are indicated, respectively.

Weller Electric Corp., Km. 38.7, Road No. 3, Luquillo, P. R., effective 11-29-55 to 5-28-56; 6 persons as learners to be employed in the occupations listed hereinafter; Assembling cord, grinding, and clearing up ventilation windows and ends of plastic housing, etc., each 240 hours at 52 cents an hour and 240 hours at 62 cents an hour (electric sanders).

Regulations Applicable to the Employment of Student-Workers (29 CFR 527.1 to 527.9, October 14, 1955, 20 F R. 7737)

Enterprise Academy, Enterprise, Kans., effective 12-14-55 to 8-31-56; print shop; pressman, compositor, linotype operator, bindery worker, and related skilled and semi-skilled occupations; 12 learners to be employed in the above occupations; 500 hours each at 65 cents an hour and 500 hours each at 70 cents an hour.

Each certificate has been issued upon the employer's representation that employment of learners at subminimum rates is necessary in order to prevent curtailment of opportunities for employment, and that experienced workers for the learner occupations are not available. The certificates may be canceled in the manner provided in the regulations and as indicated in the certificates. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof within fifteen days after publication of this notice in the FEDERAL REGISTER pursuant to the provisions of Parts 522 and 527.

Signed at Washington, D. C., this 20th day of December 1955.

MILTON BROOKE,
Authorized Representative of the Administrator.

[F. R. Doc. 55-10439; Filed, Dec. 29, 1955; 8:46 a. m.]

FEDERAL POWER COMMISSION

[Docket No. G-9800]

ARKANSAS FUEL OIL CORP.

ORDER SUSPENDING PROPOSED CHANGES IN RATES

Arkansas Fuel Oil Corporation (Applicant) on November 23, 1955, tendered for filing proposed changes in presently effective rate schedules for sales subject to the jurisdiction of the Commission. The proposed changes, which constitute increased rates and charges, are contained in the following designated filings which are proposed to become effective on the date shown:

Description; Purchaser · Rate Schedule Designation; and Effective Date [1]

Ratification dated March 18, 1955; United Fuel Gas Company, Applicant's FPC Gas Rate Schedule No. 49; December 24, 1955.

Contract dated October 31, 1952; United Fuel Gas Company; Supplement No. 1 to Applicant's FPC Gas Rate Schedule No. 49; December 24, 1955.

Letter dated October 31, 1952; United Fuel Gas Company; Supplement No. 2 to Applicant's FPC Gas Rate Schedule; December 24, 1955.

Applicant's share of the natural gas from the "P" Sand Unit in the Bourg Field, Terre Bonne Parish, Louisiana, is presently being sold to United Fuel Gas Company under Cities Service Production Company's (Cities Service) FPC Gas Rate Schedule No. 1. By order of the Commission issued October 24, 1955, in Docket No. G-9510, the increase proposed by Cities Service in its base price for gas sold under its FPC Gas Rate Schedule No. 1 was suspended and the use thereof deferred until April 1, 1956. The increase proposed by Applicant herein is identical to the increase suspended in Docket No. G-9510.

The increased rates and charges proposed by Applicant's filing of November 23, 1955, have not been shown to be justified, and may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the said proposed changes, and that the above-designated rate schedule and supplements be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders: (A) Pursuant to the authority contained in sections 4 and 15 of the Natural Gas Act and the Commission's general rules and regulations (18 CFR, Chapter I), a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of said proposed changes in rates and charges; and, pending such hearing and decision thereon, the above-designated rate schedule and supplements be and the same hereby are suspended and the use thereof deferred until April 1, 1956, and until such further time as they are made effective in the manner prescribed by the Natural Gas Act.

(B) Interested State commissions may participate as provided by sections 1.8 and 1.37 (f) (18 CFR 1.8 and 1.37 (f)) of the Commission's rules of practice and procedure.

Adopted: December 20, 1955.

Issued: December 23, 1955.

By the Commission.[2]

[SEAL] J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 55-10440; Filed, Dec. 29, 1955; 8:46 a. m.]

[Docket No. G-9801]

HUMBLE OIL & REFINING CO.

ORDER SUSPENDING PROPOSED CHANGES IN RATES

Humble Oil & Refining Company (Applicant) on November 23, 1955, tendered for filing proposed changes in presently effective rate schedules for sales subject to the jurisdiction of the Commission. The proposed changes, which constitute increased rates and charges, are contained in the following designated filing which is proposed to become effective on the date shown:

Description; Purchaser · Rate Schedule Designation; and Effective Date [1]

Notice of change (undated), Tennessee Gas Transmission Company, Supplement No. 7 to Applicant's FPC Gas Rate Schedule No. 6, 12-24-55.

[1] The stated effective date is the first day after expiration of the required thirty days' notice, or the effective date proposed by Applicant if later.

[2] Commissioner Digby dissenting.

The increased rates and charges proposed in the aforesaid filing have not been shown to be justified, and may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the said proposed changes, and that the above-designated supplement be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority contained in sections 4 and 15 of the Natural Gas Act and the Commission's general rules and regulations (18 CFR, Chapter I) a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of said proposed changes in rates and charges; and, pending such hearing and decision thereon, the above-designated supplement be and the same hereby is suspended and the use thereof deferred until May 24, 1956, and until such further time as it is made effective in the manner prescribed by the Natural Gas Act.

(B) Interested State commissions may participate as provided by sections 1.8 and 1.37 (f) (18 CFR 1.8 and 1.37 (f)) of the Commission's rules of practice and procedure.

Adopted: December 20, 1955.

Issued: December 23, 1955.

By the Commission.[1]

[SEAL] J. H. GUTRIDE, *Acting Secretary.*

[F. R. Doc. 55-10441; Filed, Dec. 29, 1955; 8:46 a. m.]

[Docket No. E-6653]

ARIZONA PUBLIC SERVICE CO.

NOTICE OF APPLICATION

DECEMBER 23, 1955.

Take notice that on December 16, 1955, an application was filed by the Arizona Public Service Company (Applicant), for an order, pursuant to section 203 of the Federal Power Act authorizing the sale by it of certain electric facilities to the Salt River Project Agricultural Improvement and Power District (District) or in the alternative, for an order disclaiming jurisdiction in regard thereto.

Applicant, a corporation, organized and existing under the laws of the State of Arizona, with its principal place of business in Phoenix, Arizona, proposes to transfer electric facilities located, in part, near Phoenix, Arizona, and in part, near Tempe, Arizona, to District at a price of $67,063.15, subject to closing adjustments. The proposed disposition would be made under an agreement between Applicant and District dated August 31, 1955, whereby Applicant will also acquire certain electric facilities from District principally located in Maricopa County, Arizona, at a price of $1,304,926.27, subject to closing adjustments.

According to the application District is a political subdivision of the State of Arizona whose principal business is the operation of the Salt River Project. It maintains an electric system and renders electric service in Maricopa, Pinal and Gila Counties of Arizona, in which areas Applicant likewise renders electrical service.

The application states that the Applicant and District have also entered into a power coordination agreement designed to coordinate the effective upon the taking effect of the aforementioned agreement relating to the transfer of electric facilities; all as more fully appears in the application on file with the Commission.

Any person desiring to be heard or to make any protest with reference to the application should on or before the 13th day of January 1956 file with the Federal Power Commission, Washington 25, D. C., a petition or protest in accordance with the Commission's General Rules and Regulations.

The application is on file with the Commission for public inspection.

[SEAL] J. H. GUTRIDE, *Acting Secretary.*

[F. R. Doc. 55-10442; Filed, Dec. 29, 1955; 8:47 a. m.]

[Docket No. G-7468]

DR. P. E. SMITH ET AL.

NOTICE OF APPLICATION AND DATE OF HEARING

DECEMBER 23, 1955.

Take notice that Dr. P. E. Smith, Katie A. Smith, Katherine Smith and P. E. Smith, Jr., hereinafter referred to as Applicant, individuals whose addresses are 2000 Hardy Street, Hattiesburg, Mississippi, filed on December 1, 1954, a joint application for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, authorizing Applicant to render service as hereinafter described, subject to the jurisdiction of the Commission, all as more fully represented in the application which is on file with the Commission and open for public inspection.

Applicant proposes to sell natural gas in interstate commerce from production of approximately 3½ acres in Unit SW 31,[1] Maxie Field and approximately 1½ acres in Creosote No. 2 Unit,[2] Pistol Ridge Field, Forrest County, Mississippi, to United Gas Pipe Line Company for resale.

This matter is one that should be disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on Tuesday, January 31, 1956, at 9:30 a. m., e. s. t., in a hearing room of the Federal Power Commission, 441 G Street NW., Washington, D. C., concerning the matters involved in and the issues presented by such application: *Provided, however* That the Commission may, after a noncontested hearing, dispose of the proceedings pursuant to the provisions of section 1.30 (c) (1) or (c) (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before January 10, 1956. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

[SEAL] J. H. GUTRIDE, *Acting Secretary.*

[F. R. Doc. 55-10443; Filed, Dec. 29, 1955; 8:47 a. m.]

[Docket No. G-8483, etc.]

CABOT CARBON CO. ET AL.

NOTICE OF APPLICATIONS AND DATE OF HEARING

DECEMBER 23, 1955.

In the matters of Cabot Carbon Company, Docket No. G-8483; White Eagle Oil Company and/or Helmerich & Payne, Inc., Docket No. G-8662; Appell Drilling Company, Docket No. G-9372; Chas. A. Daubert, Docket No. G-9373; J. P. Petkas, Docket No. G-9374; Texita Oil Company, Docket No. G-9375; Gas Gathering Company, Docket No. G-9376.

There have been filed with the Federal Power Commission applications as hereinafter specified:

Docket No., Address; Location of Field; and Buyer

G-8483; 77 Franklin Street, Boston 10, Massachusetts, Hugoton Field, Seward County, Kansas; Panhandle Eastern Pipe Line Company.

G-8662; Tulsa, Oklahoma, Hugoton Field, Morton County, Kansas; Panhandle Eastern Pipe Line Company.

G-9372; Drawer 330, Alice, Texas; East Mathis Field, San Patricio County, Texas; Gas Gathering Company.

G-9373; Milam Building, San Antonio, Texas; North William Field, San Patricio County, Texas; Gas Gathering Company.

G-9374; 922 San Jacinto Building, Houston 2, Texas; Willman Field, San Patricio County, Texas; Gas Gathering Company.

G-9375; 1712 Milam Building, San Antonio, Texas; Hot Field, San Patricio County, Texas; Gas Gathering Company.

G-9376; Driscoll Building, Corpus Christi, Texas; East Mathis, Hot, Willman, and North

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[1] Commissioner Digby dissenting.

[1] The operator of SW 31 Unit is Ohio Oil Company in accordance with a Joint Operating Agreement. Applicant has not individually made any contract of sale with regard to this interest.

[2] The operator of the Creosote No. 2 Unit is Morgan and Norton. See Docket No. G-5930. The sales contract involved was signed by predecessor in title to Applicant.

Willman Fields, San Patricio County, Texas; Trunkline Gas Company.

Each has filed an application for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, authorizing Applicant to render services as hereinbefore described, subject to the jurisdiction of the Commission, all as more fully represented in the applications which are on file with the Commission and open for public inspection.

Applicants produce and propose to sell natural gas for transportation in interstate commerce for resale, as indicated above.

These matters should be heard on a consolidated record and disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on January 30, 1956, at 9:30 a. m., e. s. t., in a hearing room of the Federal Power Commission, 441 G Street NW., Washington, D. C., concerning the matters involved in and the issues presented by such applications: *Provided, however* That the Commission may, after a non-contested hearing, dispose of the proceedings pursuant to the provisions of section 1.30 (c) (1) or (c) (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicants to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before January 16, 1956. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

[SEAL] J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 55-10444; Filed, Dec. 29, 1955; 8:47 a. m.]

[Docket No. G-8821, etc.]

FRANCIS A. CALLERY ET AL.

NOTICE OF APPLICATIONS AND DATE OF HEARING

DECEMBER 23, 1955.

In the matters of Francis A. Callery, Docket No. G-8821, United Gas Pipe Line Company, Docket No. G-8824; N. C. Ginther, et al., Docket No. G-8853.

Take notice that Francis A. Callery and N. C. Ginther, et al. (Applicants), individuals whose address is Houston, Texas, filed on April 28, 1955, and May 4, 1955, respectively, applications for certificates of public convenience and necessity pursuant to section 7 of the Natural Gas Act, authorizing Applicant to render service as hereinafter described, subject to the jurisdiction of the Commission, all as more fully represented in the application which is on file with the Commission and open for public inspection.

Applicant, Francis A. Callery, produces gas from the Scott Field, Lafayette Parish, Louisiana and Applicant, N. C. Ginther, et al., produces gas from the Fromme Field, Goliad County, Texas, which they propose to sell to United Gas Pipe Line Company for transportation in interstate commerce for resale.

Applicant, United Gas Pipe Line Company (United) a Delaware corporation with its principal place of business at Shreveport, Louisiana, filed its application on April 28, 1955, as supplemented on May 31, 1955, for a certificate of public convenience and necessity authorizing it to construct and operate two purchase meter stations and appurtenant facilities, together with other facilities required from time to time to connect or take additional deliveries from wells in the Scott Field, Lafayette Parish, Louisiana and the Fromme Field, Goliad County, Texas to United's existing pipe line system, subject to the jurisdiction of the Commission all as more fully represented in its application and supplement which is on file with the Commission and open for public inspection.

The estimated cost of the above proposed facilities is $9,586, which will be financed from current working funds.

These related matters should be heard on a consolidated record and disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on January 31, 1956, at 9:30 a. m., e. s. t., in a hearing room of the Federal Power Commission, 441 G Street NW., Washington, D. C., concerning the matters involved in and the issues presented by such applications: *Provided, however,* That the Commission may, after a noncontested hearing, dispose of the proceedings pursuant to the provisions of section 1.30 (c) (1) or (c) (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicants to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before January 16, 1956. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

[SEAL] J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 55-10445; Filed, Dec. 29, 1955; 8:47 a. m.]

[Docket No. G-9395]

SINCLAIR OIL & GAS CO.

NOTICE OF APPLICATION AND DATE OF HEARING

DECEMBER 23, 1955.

Take notice that Sinclair Oil & Gas Company (Applicant), a Maine corporation whose address is Sinclair Building, Tenth and Boston, Tulsa, Oklahoma, filed, on September 26, 1955, an application for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, authorizing Applicant to render service as hereinafter described, subject to the jurisdiction of the Commission, all as more fully represented in the application which is on file with the Commission and open for public inspection.

Applicant proposes to sell natural gas in interstate commerce from production of certain acreage, Pistol Ridge Field, Forrest County, Mississippi, to United Gas Pipe Line Company for resale.

This matter is one that should be disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on Tuesday, January 31, 1956, at 9:30 a. m., e. s. t., in a hearing room of the Federal Power Commission, 441 G Street NW., Washington, D. C., concerning the matters involved in and the issues presented by such application: *Provided, however,* That the Commission may, after a noncontested hearing, dispose of the proceedings pursuant to the provisions of section 1.30 (c) (1) or (c) (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before January 10, 1956. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

[SEAL] J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 55-10447; Filed, Dec. 29, 1955; 8:47 a. m.]

[Docket No. G-8878]

DRAPER MOTORS CORP.

NOTICE OF APPLICATION AND DATE OF HEARING

DECEMBER 23, 1955.

Take notice that Draper Motors Corporation (Applicant), a Michigan corporation whose address is 2344 Woodward Avenue, Royal Oak, Michigan, filed an

operator,[1] on May 9, 1955, an application for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, authorizing Applicant to render service as hereinafter described, subject to the jurisdiction of the Commission, all as more fully represented in the application which is on file with the Commission and open for public inspection.

Applicant proposes to sell natural gas in interstate commerce from production of certain units, Hugoton Field, Finney County, Kansas, to Colorado Interstate Gas Company for resale.

This matter is one that should be disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on Tuesday, January 31, 1956, at 9:30 a. m., e. s. t., in a hearing room of the Federal Power Commission, 441 G Street NW., Washington, D. C., concerning the matters involved in and the issues presented by such application: *Provided, however,* That the Commission may, after a noncontested hearing, dispose of the proceedings pursuant to the provisions of section 1.30 (c) (1) or (c) (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before January 10, 1956. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

[SEAL] J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 55-10446; Filed, Dec. 29, 1955; 8:47 a. m.]

CIVIL AERONAUTICS BOARD

[Docket No. 5773 et al.]

REOPENED BONANZA RENEWAL CASE

NOTICE OF PREHEARING CONFERENCE

Notice is hereby given that a prehearing conference in the above-entitled case is assigned to be held on January 6, 1956, at 10:00 a. m., e. s. t., in Room E-210, Temporary Building No. 5, Sixteenth Street and Constitution Avenue NW., Washington, D. C. This case was reopened by Order No. E-9825. Examiner Ferdinand D. Moran has been assigned to this proceeding.

Dated at Washington, D. C., December 23, 1955.

[SEAL] FRANCIS W. BROWN,
Chief Examiner.

[F. R. Doc. 55-10462; Filed, Dec. 29, 1955; 8:50 a. m.]

[Docket Nos. 7158, 7204]

PAN AMERICAN WORLD AIRWAYS, INC., AND TRANS WORLD AIRLINES, INC.

POLAR ROUTES; NOTICE OF PREHEARING CONFERENCE

Notice is hereby given that a prehearing conference in the above-entitled applications is assigned to be held on January 23, 1956, at 10:00 a. m., e. s. t., in Room E-210, Temporary Building No. 5, Sixteenth Street and Constitution Avenue NW., Washington, D. C., before Examiner William J. Madden.

Dated at Washington, D. C., December 27, 1955.

[SEAL] FRANCIS W BROWN,
Chief Examiner.

[F. R. Doc. 55-10463; Filed, Dec. 29, 1955; 8:51 a. m.]

[Docket No. 7454 et al.]

SEVEN STATES AREA INVESTIGATION

NOTICE OF PREHEARING CONFERENCE

Notice is hereby given that a prehearing conference in the above-entitled investigation is assigned to be held on January 24, 1956, at 10:00 a. m., e. s. t., in Room E-210, Temporary Building No. 5, Sixteenth Street and Constitution Avenue NW., Washington, D. C., before Examiner Curtis C. Henderson.

Attention is directed to the Rule 302.12 (b) of the Board's Rules of Practice which specifies:

A motion to consolidate or contemporaneously consider an application with any other application shall be filed not later than the prehearing conference in the proceeding with which consolidation or contemporaneous consideration is requested, and shall relate only to a then pending application.

In order to facilitate conduct of the conference and in accord with the above rule it is requested that any party desiring to prosecute an application in this proceeding file on or before January 16, 1956, a motion for consolidation with Examiner Henderson and/or any new applications for which consolidation may be sought. Copies of such motions should be served on all applicants.

In addition, it is requested that any "request for evidence" be transmitted to the examiner and to the party from whom the evidence is sought on or before January 16, 1956.

Counsel will be expected to state the views of their client with respect to issues discussed during the course of this conference.

Dated at Washington, D. C., December 27, 1955.

[SEAL] FRANCIS W. BROWN,
Chief Examiner.

[F. R. Doc. 55-10464; Filed, Dec. 29, 1955; 8:51 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 1-1353]

HOME DAIRY CO.

NOTICE OF APPLICATION TO WITHDRAW FROM LISTING AND REGISTRATION, AND OF OPPORTUNITY FOR HEARING

DECEMBER 23, 1955.

In the matter of Home Dairy Company, 80¢ Cumulative Preferred Stock, No Par Value.

The above named issuer, pursuant to Section 12 (d) of the Securities Exchange Act of 1934 and Rule X-12D2-1 (b) promulgated thereunder, has made application to withdraw the specified security from listing and registration on the Detroit Stock Exchange.

The reasons alleged in the application for withdrawing this security from listing and registration include the following:

The holders of record number only 211. Transactions on the Detroit Stock Exchange are negligible, being reported at 3 shares in 1952, none in 1953 and 1954, and 25 shares March 1955. The Detroit Stock Exchange has no objection to the making of this application to remove the shares from listing and registration thereon.

Upon receipt of a request, on or before January 12, 1956, from any interested person for a hearing in regard to terms to be imposed upon the delisting of this security, the Commission will determine whether to set the matter down for hearing. Such request should state briefly the nature of the interest of the person requesting the hearing and the position he proposes to take at the hearing with respect to imposition of terms. In addition, any interested person may submit his views or any additional facts bearing on this application by means of a letter addressed to the Secretary of the Securities and Exchange Commission, Washington 25, D. C. If no one requests a hearing on this matter, this application will be determined by order of the Commission on the basis of the facts stated in the application and other information contained in the official file of the Commission pertaining to the matter.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 55-10448; Filed, Dec. 29, 1955; 8:47 a. m.]

[1] The remaining owners of working interests in certain of the units listed are: Kansas-Nebraska Natural Gas Company, Inc., William Graham Oil Company, Robert W. Lange, Minnie M. Duncan and Flo D. Duncan. Exhibit "A" states Kansas-Nebraska Natural Gas Company, Inc., will file separate application.